

JOURNAL OF THE SENATE

NINETY-FIFTH SESSION

THIRTY-SIXTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Thursday, March 12, 2020

The Senate convened at 10:00 a.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 Caleigh Sanchez and Josie Weber.

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 thirty-fifth 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,
Brock L. Greenfield, Chair

SENATE PAGE RESOLUTION 5 Introduced by: Senators Blare; Bolin; Cammack; Castleberry; Curd; Duhamel; Ewing; Foster; Greenfield, Brock; Heinert; Jensen, Phil; Kennedy; Klumb; Kolbeck; Lake; Langer; Maher; Monroe; Nesiba; Novstrup; Otten, Ernie; Partridge; Rusch; Russell; Schoenbeck; Schoenfish; Smith, V.J.; Soholt; Stalzer; Steinhauer; Sutton; White; Wiik; Wismer; Youngberg

A RESOLUTION, Expressing the appreciation and gratitude of the Senate of the Ninety-fifth Legislature of the State of South Dakota to Allison Horkey, Connor Langbehn, Gabriel Nelson, Jacey Orthaus, Jayme Peterson, Maggie Peterson, Caleigh Sanchez, and Josie Weber.

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

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

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

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

Sen. White moved that Senate Page Resolution 5 be adopted.

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

And the roll being called:

Yeas 33, Nays 0, Excused 2, 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, Wismer, and Youngberg

Excused:

Partridge and Wiik

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

REPORTS OF STANDING COMMITTEES

Mr. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **SB 26 and 157** and finds the same correctly enrolled.

Respectfully submitted,
Brock L. Greenfield, Chair

1 Mr. PRESIDENT:

2 The Committee on Legislative Procedure respectfully reports that **SB 17, 20, 25, 27, 33, 35,**
3 **36, 39, 41, 42, 43, 44, 45, 46, 47, 71, 81, 89, 91, 96, 98, 119, 120, 124, 135, 136, 139,**
4 **142, 148, 149, 156, 164, 167, and 169** were delivered to her Excellency, the Governor, for her
5 approval at 8:10 a.m., March 12, 2020.

6 Respectfully submitted,
7 Brock L. Greenfield, Chair

8 **REPORTS OF CONFERENCE COMMITTEES**

9 The Conference Committee on **SB 40** respectfully submits the following corrected report for
10 the committee action of March 11, 2020:

11 MR. PRESIDENT:

12 The Conference Committee respectfully reports that it has had under consideration **SB 40** and
13 the amendments thereto made by the House, and the disagreement of the two houses thereon, and
14 recommends that the House and the Senate do not concur with the bill as amended, without
15 recommendation as to reappointment.

16 Respectfully submitted, Respectfully submitted,
17 John Wiik, Chair Drew Dennert, Chair

18 MR. PRESIDENT:

19 The Conference Committee respectfully reports that it has considered **SB2** and the
20 amendments thereto made by the House, and the disagreements of the two houses thereon, and
21 recommends that on the House engrossed bill, delete all amendments, thus restoring the bill to the
22 introduced version.

23 Respectfully submitted, Respectfully submitted,
24 Jim Stalzer, Chair Kevin D. Jensen, Chair

25 MR. PRESIDENT:

26 The Committee on **HB 1266** respectfully reports that it has had under consideration **HB 1266**
27 and returns the same with the recommendation that said bill be amended as follows:

28 1266D

29 On page 3, line 27, of the Senate bill, after "thereon." delete "Any money in the Dakota's
30 promise fund is continuously appropriated. Any money deposited into or distributed from the fund
31 shall be set forth in an informational budget as provided in § 4-7-7. 2."

32 And that as so amended, the conference committee report be adopted.

33 Respectfully submitted, Respectfully submitted,
34 Chris G. Karr, Chair Jeff Partridge, Chair

MESSAGES FROM THE HOUSE

Mr. PRESIDENT:

I have the honor to inform your honorable body that the House has concurred in Senate amendments to **HB 1002 and 1088**.

Respectfully,
Mary Lou Goehring, Chief Clerk

ANNOUNCEMENTS

The President Pro Tempore has appointed Senators Brock Greenfield, Langer, and Heinert as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on **SB 144**.

SIGNING OF BILLS

The President publicly read the title to

SB 26: FOR AN ACT ENTITLED, An Act to increase the assessment of liquidated court costs and to revise the disposition of the funds collected.

SB 157: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the county zoning and appeals process.

And signed the same in the presence of the Senate.

Sen. Langer moved that the Senate do now recess until 12:00 p.m.

Which motion prevailed and at 10:28 a.m., the Senate recessed.

RECESS

The Senate reconvened at 12:00 p.m., the President presiding.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Joint Committee on Appropriations respectfully reports that it has had under consideration **HB 1042** and returns the same with the recommendation that said bill be amended as follows:

1042A

On page 2, line 15, of the Introduced bill, delete " \$6,148" and insert " \$6,152"

On page 2, line 19, of the Introduced bill, delete " \$14,646" and insert " \$14,655"

On page 2, line 23, of the Introduced bill, delete " \$19,182" and insert " \$19,194"

1 On page 2, line 27, of the Introduced bill, delete " \$15,395" and insert " \$15,405"

2 On page 2, line 31, of the Introduced bill, delete " \$32,328" and insert " \$32,348"

3 On page 2, line 35, of the Introduced bill, delete " \$8,256" and insert " \$8,261"

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

5 Also MR. PRESIDENT:

6 The Joint Committee on Appropriations respectfully reports that it has had under consideration
7 **HB 1043** and returns the same with the recommendation that said bill be amended as follows:

8 1043A

9 On page 1, line 8, of the Introduced bill, delete " fifty-five and six tenths " and insert " sixty-
10 eight and two tenths "

11 On page 1, line 13, of the Introduced bill, delete " forty-one and six" and insert " forty-four
12 and three"

13 On page 1, line 18, of the Introduced bill, delete " sixteen and eight" and insert " twenty-two
14 and nine"

15 On page 3, line 16, of the Introduced bill, delete " \$50,360. 26" and insert "\$51,367.47"

16 On page 3, line 23, of the Introduced bill, delete " ninety-seven" and insert " ninety-three"

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

18 Respectfully submitted,
19 John Wiik, Co-Chair

Respectfully submitted,
Chris G. Karr, Co-Chair

20 MR. PRESIDENT:

21 The Joint Committee on Legislative Procedure respectfully reports that it has had under
22 consideration the joint rules and recommends that the joint rules of the Ninety-fifth Legislative
23 Session be adopted as the joint rules of the Ninety-sixth Legislative Session with the following
24 changes:

25 Amend Chapter 6C of the Joint Rules as follows:

26 **6C-2. Deferral of bills without fiscal note.** ~~The original copy of a bill or resolution for which a~~
27 ~~fiscal note has been requested shall be stamped by the bill clerk with the initials "F.N." include a~~
28 ~~notation of the requirement on the Legislative Research Council internet site for the bill or resolution.~~
29 ~~The completed fiscal note shall be displayed on the Legislative Research Council internet site before~~
30 ~~referral to a committee. If the bill or resolution is reported back without a fiscal note, the presiding~~
31 ~~officer shall defer placing the bill or resolution may be placed on the second reading calendar until~~
32 ~~the requested fiscal note is received. However, the presiding officer may place the bill or resolution~~
33 ~~on the second reading calendar if the presiding officer determines a fiscal note is no longer required.~~

34 **6C-3. Attaching-Displaying fiscal note to bill or resolution.** If a fiscal note is available, it shall
35 be attached by the bill clerk at the end of the original copy of displayed on the Legislative Research
36 Council internet site for the bill or resolution.

37 **6C-4. Retirement system actuarial statement.** Each bill introduced affecting the benefits
38 payable by the state or a local government retirement system shall have an actuarial statement
39 ~~attached to the bill displayed on the Legislative Research Council internet site for the bill.~~ The
40 actuarial statement shall be requested from the governing board of the retirement system affected

and the statement shall identify the costs of the proposed change in the law as stated by the actuary for the affected retirement plan. If there is a doubt as to the need for an actuarial statement, the presiding officer shall make the final decision. After the bill is introduced, the ~~bill clerk shall attach the actuarial statement to the original bill~~ shall be displayed on the Legislative Research Council internet site for the bill.

Amend Chapter 7 of the Joint Rules as follows:

~~7-1.6. Formal action~~ Final disposition required on all legislative proposals. ~~Standing committees~~ A standing committee shall take formal action regarding final disposition on each legislative proposal submitted for their committee consideration.

7-16. Motions. When a question is under debate, no motion may be made except the following motions:

- (1) Adjourn; (nondebatable)
- (2) Recess;
- (3) Call the previous question; (nondebatable)
- (4) Lay on the table; (nondebatable)
- (5) Defer to the 41st day;
- (6) Do pass;
- (7) Do pass, amended;
- (8) Do not pass;
- (9) Do not pass, amended;
- (10) Without recommendation;
- (11) Without recommendation, amended;
- (12) Defer to a day certain;
- (13) Refer to another committee;
- (14) Refer to another committee, amended;
- (15) Refer to another committee, with or without recommendation;
- ~~(16) Do adopt;~~
- ~~(17) Do concur;~~
- ~~(18) Amend~~
- ~~(16)(19) Approve or amend minutes; and~~
- ~~(17)(20) Appoint a subcommittee.~~

Amend Chapter 12 of the Joint Rules as follows:

12-7. Voting standard. Except when otherwise provided under the South Dakota Constitution, these joint rules, Senate rules, House rules, or South Dakota codified law, vote requirements for all motions shall be based on the majority of the members present and voting.

Amend Chapter 17 of the Joint Rules as follows:

17-1. Exceptions to deadlines for appropriation bills. Any general appropriation bill, any bill that amends a prior year's general appropriations bill, or any bill that adjusts school district property tax levies pursuant to an appropriations bill is not subject to the legislative deadlines of C, E, F, I, and J, in this chapter, except that the general appropriation bill requested by the Governor shall be subject to legislative deadline C.

Any appropriation bill that is not a general appropriation bill, which is referred to or reported to the floor by the ~~House Appropriations, the Senate Appropriations or the Joint Committee on Appropriations;~~ is subject to the following legislative deadlines, in lieu of the legislative deadlines of E and F, in this chapter:

- (1) Last day to move required delivery of bills by a committee to the house of origin: 31st Day;
- (2) Last day to pass bills by the house of origin: 32nd Day.

The Joint Committee on Legislative Procedure also respectfully recommends the days of the Ninety-sixth Legislative Session be adopted as show below:

96th SOUTH DAKOTA LEGISLATIVE SESSION CALENDAR

2021  37 Legislative Days – Senate Alternate

Please refer to the Joint Rules, Chapter 17 for complete information.

	Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
January 2021	3	4	5	6	7	1	2
	10	11	12 Session Opens 12 Noon(CST) <i>State of the State</i> L.D. 1	13 <i>State of the Judiciary</i> L.D. 2	14 <i>State of the Tribes</i> L.D. 3	15 L.D. 4	16
	17	18 <i>Martin Luther King Jr. Day</i>	19 Executive orders filed (Constitution, Art. IV, Sec. 8) L.D. 5	20 L.D. 6	21 <i>Jt. Memorial Service 3:00pm</i> L.D. 7	22 Concurrent/House/Senate Resolutions limited introduction deadline (J.R. 6B-3) L.D. 8	23
	24	25 L.D. 9	26 Bill draft requests submitted to LRC by 5:00pm (for unlimited introduction) L.D. 10	27 L.D. 11	28 Last day for unlimited bill & joint resolution introduction (J.R. 6B-3) (TWO HOURS prior to session) L.D. 12	29	30
	31	1 All bill draft requests submitted to LRC by 5:00pm L.D. 13	2 Committee bill and joint resolution requests due to LRC by 5:00pm L.D. 14	3 Last day for introduction of individual bills and joint resolutions (TWO HOURS prior to session) L.D. 15	4 Last day for introduction of committee bills and joint resolutions (TWO HOURS prior to session) <i>Military Dining Out</i> L.D. 16	5 L.D. 17	6
February 2021	7	8 L.D. 18	9 L.D. 19	10 L.D. 20	11 Last day for JCA selection of general fund revenue targets (J.R. 7-11.1) L.D. 21	12	13
	14	15 <i>Presidents' Day</i> L.D. 22	16 L.D. 22	17 L.D. 23	18 L.D. 24	19	20
	21	22 L.D. 25	23 Concurrent resolution requests due to LRC by 5:00pm, and Last day to use J.R. 5-17 L.D. 26	24 Last day to move required delivery of bills or resolutions by a committee to the house of origin L.D. 27	25 Last day to pass bills or joint resolutions by the house of origin (Crossover Day), and Last day for final introduction of concurrent/House/Senate resolutions L.D. 28	26	27
	28	1 L.D. 29	2 Last day for JCA to move required delivery of special appropriation bills to house of origin (JR 17-1) L.D. 30	3 Last day for house of origin to pass special appropriation bills (JR 17-1), and J.R. 5-13 in effect L.D. 31	4 Last day to move required delivery of bills or joint resolutions by a committee to the second house, and Last day for introduction of commemorations L.D. 32	5	6
March 2021							

7	8	9	10	11	12	13
	Last day for a bill or joint resolution to pass both houses L.D. 33					
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
	Reserved for consideration of gubernatorial vetoes L.D. 37					

Respectfully submitted,
Brock L. Greenfield, Chair

REPORTS OF CONFERENCE COMMITTEES

Sen. Monroe moved that the report of the Conference Committee on **SB 73** as found on page 488 of the Senate Journal be adopted.

The question being on Sen. Monroe's motion that the report of the Conference Committee on **SB 73** be adopted.

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, V. J. Smith, Soholt, Stalzer, Steinhauer, White, Wiik, Wismer, and Youngberg

Excused:

Sutton

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

ANNOUNCEMENTS

The President Pro Tempore has appointed Senators Castleberry, Schoenfish, and Nesiba as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on **HB 1046**.

Sen. Brock Greenfield moved that Senate do now recess until 2:00 p.m.

Which motion prevailed and at 12:18 p.m., the Senate recessed.

RECESS

The Senate reconvened at 2:00 p.m., the President presiding.

REPORTS OF CONFERENCE COMMITTEES

MR. PRESIDENT:

The Committee on **HB 1046** respectfully reports that it has had under consideration **HB 1046** and the amendments thereto made, and the disagreement of the two houses thereon, and returns the same with the recommendation that the Senate and House do concur with the bill and be amended as follows:

1046E

On the Senate engrossed bill, delete the previously adopted amendment(s), thus restoring the bill to the Joint Appropriations version.

And that as so amended, the Conference Committee report be adopted.

Respectfully submitted,
Randy Gross, Chair

Respectfully submitted,
Kyle Schoenfish, Chair

MESSAGES FROM THE HOUSE

Mr. PRESIDENT:

I have the honor to inform your honorable body that the House has failed to concur in Senate amendments to **SB 40** and has appointed Representatives Livermont, Borglum, and Lesmeister as a committee of three on the part of the House to meet with a like committee on the part of the Senate to adjust the differences between the two houses.

Also Mr. PRESIDENT:

I have the honor to inform your honorable body that the House has adopted the reports of the Conference Committees on **SB 2 and 73, and HB 1008**.

Also Mr. PRESIDENT:

I have the honor to transmit herewith **HB 1042 and 1043** which have passed the House and your favorable consideration is respectfully requested.

1 Also Mr. PRESIDENT:

2 I have the honor to inform your honorable body that the House has appointed
3 Representatives Gross, Post, and Cwach as a committee of three on the part of the House to meet
4 with a like committee on the part of the Senate to adjust the differences between the two houses
5 on **HB 1046**.

6 Also Mr. PRESIDENT:

7 I have the honor to inform your honorable body that the House has appointed
8 Representatives Karr, Howard, and Saba as a committee of three on the part of the House to meet
9 with a like committee on the part of the Senate to adjust the differences between the two houses
10 on **HB 1213**.

11 Respectfully,
12 Mary Lou Goehring, Chief Clerk

13 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

14 **HB 1042:** FOR AN ACT ENTITLED, An Act to revise the special education property tax levy for
15 school districts and to revise the state aid to special education formula.

16 **HB 1043:** FOR AN ACT ENTITLED, An Act to revise the property tax levies for the general fund
17 of school districts and to revise the state aid to education formula.

18 Were read the first time and the President waived the committee referral pursuant to Joint
19 Rule 6D-1.

20 **ANNOUNCEMENTS**

21 The President Pro Tempore has appointed Senators Wiik, Klumb, and Nesiba as a committee
22 of three on the part of the Senate to meet with a like committee on the part of the House to adjust
23 the differences between the two houses on **SB 40**.

24 Sen. Langer moved that Senate do now recess until 4:00 p.m.

25 Which motion prevailed and at 2:18 p.m., the Senate recessed.

26 **RECESS**

27 The Senate reconvened at 4:00 p.m., the President presiding.

COMMUNICATIONS AND PETITIONS

March 12, 2020

Mr. President and Members of the Senate:

I have the honor to inform you that on March 12, 2020, I approved Senate Bills 1 and 4, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Kristi Noem
Governor

REPORTS OF STANDING COMMITTEES

Mr. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **SB 73** and finds the same correctly enrolled.

Respectfully submitted,
Brock L. Greenfield, Chair

REPORTS OF CONFERENCE COMMITTEES

MR. PRESIDENT:

The Committee on **HB 1233** respectfully reports that it has had under consideration **HB 1233** and the amendments thereto made, and the disagreement of the two houses thereon, and returns the same with the recommendation that the Senate and House do NOT concur in amendments to HB 1233 and do NOT appoint a new committee.

Respectfully submitted,
Drew Dennert, Chair

Respectfully submitted,
Ryan M. Maher, Chair

MR. PRESIDENT:

The Committee on **SB 144** respectfully reports that it has had under consideration **SB 144** and the amendments thereto made, and the disagreement of the two houses thereon, and returns the same with the recommendation that the Senate and House do NOT concur with the House amendments and to NOT appoint a new committee.

Respectfully submitted,
Brock L. Greenfield, Chair

Respectfully submitted,
Caleb Finck, Chair

MR. PRESIDENT:

The Committee on **SB 40** respectfully reports that it has had under consideration **SB 40** and the amendments thereto made, and the disagreement of the two houses thereon, and returns the same with the recommendation that the Senate and House do concur with the bill and be amended as follows:

On page 1, line 2, of the Conference Committee bill, after "Facility" insert " and the demolition of Julian Hall and the Julian Hall Addition "

On page 1, line 2, of the Conference Committee bill, after "Facility " insert " to the University of South Dakota, to make an appropriation therefor, and to"

On page 1, line 2, of the Conference Committee bill, after "Facility " insert " declare an emergency"

On page 1, line 6, of the Conference Committee bill, after "Dakota" insert ", including any heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, and any other services or actions required to accomplish the project, for an estimated cost of twenty-two million dollars, subject to any adjustments authorized in section 3 of this Act"

On page 1, after line 6, of the Conference Committee bill, insert "

Section 1. There is hereby appropriated to the Board of Regents from the higher education facilities fund allocable to the University of South Dakota, the sum of five million dollars (\$5,000,000), or so much thereof as may be necessary; the sum of seven million five hundred thousand dollars (\$7,500,000), or so much thereof as may be necessary, from revenue bonds authorized by subdivision (7) of section 2 of chapter 107 of the 2012 Session Laws; the general fund sum of five million dollars (\$5,000,000), or so much thereof as may be necessary; and the sum of four million five hundred thousand dollars (\$4,500,000), or so much thereof as may be necessary, in other fund expenditure authority, together with any additional sums received pursuant to section 5 of this Act to cover any adjustments authorized in section 3 of this Act.

"

On page 1, after line 6, of the Conference Committee bill, insert "

Section 2. The cost estimates contained in this Act are stated in terms of 2019 values. The Board of Regents may adjust the cost estimates to reflect the inflation as measured by the Building Cost Index, reported by the Engineering News Record and additional expenditures required to comply with regulations adopted after the effective date of this Act, or additional sums received pursuant to section 5 of this Act. Any adjustments to construction cost estimates for the project may not exceed one hundred twenty-five percent of the estimated project construction cost stated in section 1 of this Act.

"

On page 1, after line 6, of the Conference Committee bill, insert "

Section 3. The acquisition, construction, completion, maintenance and equipping of the Allied Health Facility by the Building Authority being in the public interest, the South Dakota Building Authority may finance 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, in accordance with this Act and chapter 5-12.

"

On page 1, after line 6, of the Conference Committee bill, insert "

Section 4. The Board of Regents may accept, transfer, and expend any funds obtained for the projects authorized in this Act from federal sources, donations, or any other external sources, all of which comprise a special fund for the benefitted project. All moneys deposited into that fund are hereby appropriated to the projects authorized by this Act, subject to limitations stated in sections 1 to 3, inclusive, of this Act.

"

On page 1, after line 6, of the Conference Committee bill, insert "

Section 5. The Board of Regents may demolish, remove, and dispose of the structures known as Julian Hall, consisting of approximately fifty thousand one hundred and seventy-three square feet, and the Julian Hall Addition, consisting of approximately forty-three thousand three hundred eighty-three square feet, at the University of South Dakota. This project includes demolition, abatement of asbestos or any other hazardous materials, lawful disposal of the fixtures or rubble, and any other action reasonably necessary to prepare the lot for the construction of a parking lot for the Allied Health Facility authorized in section 1 of this Act.

"

On page 1, after line 6, of the Conference Committee bill, insert "

Section 6. The administration of the design and construction of the project authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14.

"

On page 1, after line 6, of the Conference Committee bill, insert "

Section 7. The executive director of the Board of Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

"

On page 1, after line 6, of the Conference Committee bill, insert "

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

"

On page 1, after line 6, of the Conference Committee bill, insert "

Section 9. 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 1, after line 6, of the Conference Committee bill, insert "

Section 10. 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.

"

On page 1, after line 6, of the Conference Committee bill, insert "

Section 11. 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).

"

1 On page 1, after line 6, of the Conference Committee bill, insert "

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

5 "

6 And that as so amended, the Conference Committee report be adopted.

7 Respectfully submitted,
8 John Wiik, Chair

Respectfully submitted,
Steve Livermont, Chair

9 MR. PRESIDENT:

10 The Committee on **HB 1213** respectfully reports that it has had under consideration **HB 1213**
11 and the amendments thereto made, and the disagreement of the two houses thereon, and returns
12 the same with the recommendation that the Senate and House do NOT concur with the bill as
13 amended and do NOT appoint a new committee.

14 Respectfully submitted,
15 Chris G. Karr, Chair

Respectfully submitted,
Al Novstrup, Chair

16 Sen. Langer moved that Senate do now recess until 4:45 p.m.

17 Which motion prevailed and at 4:09 p.m., the Senate recessed.

18 **RECESS**

19 The Senate reconvened at 4:45 p.m., the President presiding.

20 **REPORTS OF STANDING COMMITTEES**

21 Mr. PRESIDENT:

22 The Committee on Legislative Procedure respectfully reports that **SB 18, 19, 55, 70, 84, 97,**
23 **140, 151, 180, and 186** were delivered to her Excellency, the Governor, for her approval at
24 4:45 p.m., March 12, 2020.

25 Respectfully submitted,
26 Brock L. Greenfield, Chair

27 Sen. Langer moved that consideration of the report of the Joint Legislative Procedures
28 Committee on the joint rules for the Ninety-Sixth Session be moved to the bottom of the calendar.

29 Which motion prevailed.

30 Sen. Langer moved that **SB 40** be placed to follow HB 1046 on today's calendar.

31 Which motion prevailed.

1

CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES

2

Sen. Stalzer moved that the report of the Conference Committee on **SB 2** as found on page 523 of the Senate Journal be adopted.

3

4

The question being on Sen. Stalzer's motion that the report of the Conference Committee on **SB 2** be adopted.

5

6

And the roll being called:

7

Yeas 31, Nays 2, Excused 2, Absent 0

8

Yeas:

9

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

10

11

12

Nays:

13

Phil Jensen and Russell

14

Excused:

15

Partridge and Schoenbeck

16

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

17

18

Sen. Novstrup moved that the report of the Conference Committee on **HB 1213** as found on page 491 of the Senate Journal be adopted.

19

20

The question being on Sen. Novstrup's motion that the report of the Conference Committee on **HB 1213** be adopted.

21

22

And the roll being called:

23

Yeas 33, Nays 1, Excused 1, Absent 0

24

Yeas:

25

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

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28

29

Nays:

30

Ewing

31

Excused:

32

Schoenbeck

33

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

34

1 Sen. Partridge moved that the report of the Conference Committee on **HB 1266** as found on
2 page 523 of the Senate Journal be adopted.

3 Sen. Wiik made a substitute motion that the report of the Conference Committee on **HB 1266**
4 as found on page 523 of the Senate Journal not be adopted and no new committee be appointed.

5 The question being on Sen. Wiik's motion that the report of the Conference Committee on
6 **HB 1266** not be adopted and no new committee be appointed.

7 And the roll being called:

8 Yeas 26, Nays 8, Excused 1, Absent 0

9 Yeas:

10 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Brock Greenfield, Heinert, Phil Jensen,
11 Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Novstrup, Ernie Otten, Partridge, Russell,
12 Schoenfish, Steinhauer, Sutton, White, Wiik, and Youngberg

13 Nays:

14 Ewing, Foster, Nesiba, Rusch, V. J. Smith, Soholt, Stalzer, and Wismer

15 Excused:

16 Schoenbeck

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

20 Sen. Maher moved that the report of the Conference Committee on **HB 1233** as found on page
21 531 of the Senate Journal be adopted.

22 The question being on Sen. Maher's motion that the report of the Conference Committee on
23 **HB 1233** be adopted.

24 And the roll being called:

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

26 Yeas:

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

31 Nays:

32 Monroe

33 Excused:

34 Schoenbeck

35 So the motion having received an affirmative vote of a majority of the members-elect, the
36 President declared the motion carried and the report was adopted.

1 Sen. Brock Greenfield moved that the report of the Conference Committee on **SB 144** as found
2 on page 531 of the Senate Journal be adopted.

3 The question being on Sen. Brock Greenfield's motion that the report of the Conference
4 Committee on **SB 144** be adopted.

5 And the roll being called:

6 Yeas 31, Nays 3, Excused 1, Absent 0

7 Yeas:

8 Bolin, Cammack, Castleberry, Curd, Duhamel, Foster, Brock Greenfield, Heinert, Phil Jensen,
9 Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge,
10 Rusch, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and
11 Youngberg

12 Nays:

13 Blare, Ewing, and Russell

14 Excused:

15 Schoenbeck

16 So the motion having received an affirmative vote of a majority of the members-elect, the
17 President declared the motion carried and the report was adopted.

18 Sen. Schoenfish moved that the report of the Conference Committee on **HB 1046** as found on
19 page 528 of the Senate Journal be adopted.

20 The question being on Sen. Schoenfish's motion that the report of the Conference Committee
21 on **HB 1046** be adopted.

22 And the roll being called:

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

24 Yeas:

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

29 Excused:

30 Schoenbeck

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

33 Sen. Wiik moved that the report of the Conference Committee on **SB 40** as found on page 531
34 of the Senate Journal be adopted.

35 The question being on Sen. Wiik's motion that the report of the Conference Committee on
36 **SB 40** be adopted.

37 And the roll being called:

38 Yeas 32, Nays 2, Excused 1, Absent 0

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

6 Nays:
7 Phil Jensen and Russell

8 Excused:
9 Schoenbeck

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

12 Sen. Langer moved that **HB 1008** be placed at the end of today's calendar.

13 Which motion prevailed.

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

15 **HB 1042:** FOR AN ACT ENTITLED, An Act to revise the special education property tax levy for
16 school districts and to revise the state aid to special education formula.

17 Was read the second time.

18 The question being "Shall **HB 1042** pass as amended?"

19 And the roll being called:

20 Yeas 32, Nays 2, Excused 1, Absent 0

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

26 Nays:
27 Phil Jensen and Russell

28 Excused:
29 Schoenbeck

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

32 **HB 1043:** FOR AN ACT ENTITLED, An Act to revise the property tax levies for the general fund
33 of school districts and to revise the state aid to education formula.

34 Was read the second time.

1 The question being "Shall **HB 1043** pass as amended?"

2 And the roll being called:

3 Yeas 32, Nays 2, Excused 1, Absent 0

4 Yeas:

5 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,
6 Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge,
7 Rusch, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and
8 Youngberg

9 Nays:

10 Phil Jensen and Russell

11 Excused:

12 Schoenbeck

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

15 **MESSAGES FROM THE HOUSE**

16 MR. PRESIDENT:

17 I have the honor to inform your honorable body that the House did not approve the March
18 12, 2020, Committee Report of the Joint Committee on Legislative Procedure.

19 Also Mr. PRESIDENT:

20 I have the honor to inform your honorable body that the House has failed to adopt the report
21 of the Conference Committee on **HB 1266** and no new committee was appointed.

22 Also Mr. PRESIDENT:

23 I have the honor to inform your honorable body that the House has adopted the reports of the
24 Conference Committees on **SB 40 and 144, and HB 1046, 1213, and 1233.**

25 Respectfully,
26 Mary Lou Goehring, Chief Clerk

27 **SIGNING OF BILLS**

28 The President publicly read the title to

29 **SB 73: FOR AN ACT ENTITLED, An Act to exempt certain persons from the requirement to**
30 **publish name changes.**

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

1 Sen. Langer moved that Senate do now recess until 7:00 p.m.

2 Which motion prevailed and at 5:38 p.m., the Senate recessed.

3 **RECESS**

4 The Senate reconvened at 8:00 p.m., the President presiding.

5 **REPORTS OF STANDING COMMITTEES**

6 Mr. PRESIDENT:

7 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
8 Enrolling has carefully compared **SB 2 and 40** and finds the same correctly enrolled.

9 Respectfully submitted,
10 Brock L. Greenfield, Chair

11 Mr. PRESIDENT:

12 The Committee on Legislative Procedure respectfully reports that **SB 26 and 157** were
13 delivered to her Excellency, the Governor, for her approval at 7:25 p.m., March 12, 2020.

14 Respectfully submitted,
15 Brock L. Greenfield, Chair

16 **MESSAGES FROM THE HOUSE**

17 MR. PRESIDENT:

18 I have the honor to inform your honorable body that the House did adopt the March 12,
19 2020, Committee Report of the Joint Committee on Legislative Procedure relative to the Joint Rules
20 for the Ninety-sixth Legislative Session.

21 Respectfully,
22 Mary Lou Goehring, Chief Clerk

23 **CONSIDERATION OF REPORTS OF STANDING COMMITTEES**

24 Sen. Langer moved that the report of the Joint Committee on Legislative Procedure relative to
25 the joint rules of the Ninety-sixth Legislative Session as found on page 525 of the Senate Journal
26 be adopted.

27 The question being on Sen. Langer's motion that the report of the Joint Committee on
28 Legislative Procedure relative to the joint rules of the Ninety-sixth Legislative Session be adopted.

29 And the roll being called:

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

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

6 Excused:
7 Foster, Lake, Schoenbeck, and Wismer

8 So the motion having received an affirmative vote of a majority of the members-elect, the
9 President declared the motion carried and the report was adopted.

10 **SIGNING OF BILLS**

11 The President publicly read the title to

12 **SB 2:** FOR AN ACT ENTITLED, An Act to require the Department of Social Services to fully
13 support a statewide centralized resource information system.

14 **SB 40:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the
15 construction of an Allied Health Facility and the demolition of Julian Hall and the Julian Hall Addition
16 to the University of South Dakota, to make an appropriation therefor, and to declare an emergency.

17 **HB 1002:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding documents of
18 the Legislature.

19 **HB 1054:** FOR AN ACT ENTITLED, An Act to revise the documentation required for voter
20 registration.

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

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

24 Sen. Langer moved that the Senate do now recess until 8:50 p.m.

25 Which motion prevailed and at 8:35 p.m., the Senate recessed.

26 **RECESS**

27 The Senate reconvened at 8:50 p.m., the President presiding.

28 **REPORTS OF STANDING COMMITTEES**

29 MR. PRESIDENT:

30 The Joint Committee on Appropriations respectfully reports that it has had under consideration
31 **SB 38** and returns the same with the recommendation that said bill be amended as follows:

32 38E

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

"

Section 13. That section 3 of chapter 27 of the 2019 Session Laws be amended to read:

BUREAU OF FINANCE AND MANAGEMENT (BFM)

(5) Employee Compensation and Billing Pools

Personal Services, General Funds, delete "\$17,191,573" and insert "\$29,561,934"

Personal Services, Federal Funds, delete "\$8,226,015" and insert "\$12,793,840"

Personal Services, Other Funds, delete "\$20,191,098" and insert "\$29,991,789"

Operating Expenses, General Funds, delete "\$1,913,712" and insert "\$2,449,881"

Operating Expenses, Federal Funds, delete "\$1,375,155" and insert "\$1,613,569"

Operating Expenses, Other Funds, delete "\$4,009,694" and insert "\$4,446,068"

Section 14. That section 5 of chapter 27 of the 2019 Session Laws be amended to read:

BUREAU OF INFORMATION AND TELECOMMUNICATIONS (BIT)

(3) Telecommunications Services

Operating Expenses, Other Funds, delete "\$11,921,444" and insert "\$14,855,518"

(6) State Radio Engineering

Operating Expenses, Other Funds, delete "\$143,931" and insert "\$234,490"

Section 15. That section 7 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF REVENUE

(2) Business Tax

Personal Services, Other Funds, delete "\$3,659,519" and insert "\$3,698,911"

Operating Expenses, Other Funds, delete "\$898,716" and insert "\$900,656"

FTE, delete "59.5" and insert "60.3"

(3) Motor Vehicles

Operating Expenses, Federal Funds, delete "\$300,000" and insert "\$946,786"

(4) Property Taxes

Operating Expenses, General Funds, delete "\$264,368" and insert "\$489,368"

Section 16. That section 8 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF AGRICULTURE

(9) Brand Board - Informational

Personal Services, Other Funds, delete "\$1,808,436" and insert "\$1,841,588"

Operating Expenses, Other Funds, delete "\$515,186" and insert "\$529,907"

FTE, delete "33.0" and insert "33.5"

Section 17. That section 11 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF TRIBAL RELATIONS

(1) Office of Tribal Relations

Operating Expenses, Other Funds, delete "\$46,000" and insert "\$196,000"

Section 18. That section 12 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF SOCIAL SERVICES

(1) Administration, Secretary of Social Services

Operating Expenses, General Funds, delete "\$4,789,074" and insert "\$4,639,074"

(2) Economic Assistance

Operating Expenses, General Funds, delete "\$17,940,109" and insert "\$17,440,109"

(3) Medical Services

Operating Expenses, General Funds, delete "\$226,699,293" and insert "\$214,421,877"

Operating Expenses, Federal Funds, delete "\$425,719,070" and insert "\$410,659,049"

(4) Children's Services

Operating Expenses, General Funds, delete "\$37,042,841" and insert "\$34,892,841"

Operating Expenses, Federal Funds, delete "\$44,243,920" and insert "\$49,114,752"

(5) Behavioral Health

Operating Expenses, General Funds, delete "\$59,889,875" and insert "\$57,714,191"

Section 19. That section 13 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF HEALTH

(2) Health Systems Development and Regulation

Operating Expenses, Federal Funds, delete "\$7,284,070" and insert "\$8,806,737"

Operating Expenses, Other Funds, delete "\$1,156,540" and insert "\$4,826,881"

(3) Family and Community Health

Personal Services, Federal Funds, delete "\$10,600,921" and insert "\$10,800,921"

Operating Expenses, General Funds, delete "\$2,036,929" and insert "\$2,111,929"

Operating Expenses, Federal Funds, delete "\$16,717,088" and insert "\$18,039,755"

(4) Laboratory Services

Personal Services, Federal Funds, delete "\$695,856" and insert "\$895,856"

Operating Expenses, Federal Funds, delete "\$3,395,176" and insert "\$4,717,842"

(5) Correctional Health

Operating Expenses, Other Funds, delete "\$17,610,221" and insert "\$15,457,776"

Section 20. That section 14 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF LABOR AND REGULATION

(3) Field Operations

Personal Services, Federal Funds, delete "\$9,658,816" and insert "\$9,498,565"

Operating Expenses, Federal Funds, delete "\$2,574,542" and insert "\$2,521,659"

FTE, delete "166.0" and insert "163.0"

(9) Board of Technical Professions - Informational

Personal Services, Other Funds, delete "\$236,379" and insert "\$174,521"

FTE, delete "4.1" and insert "3.1"

Section 21. That section 15 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF TRANSPORTATION

(1) General Operations

Operating Expenses, Other Funds, delete "\$98,810,965" and insert "\$98,805,165"

Section 22. That section 16 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF EDUCATION

(3) State Aid to General Education

Operating Expenses, General Funds, delete "\$477,303,537" and insert "\$474,354,181"

(5) Sparsity Payments

Operating Expenses, General Funds, delete "\$2,038,269" and insert "\$1,963,272"

(6) National Board Certified Teachers and Counselors

Operating Expenses, General Funds, delete "\$150,000" and insert "\$52,875"

(8) Postsecondary Vocational Education

Personal Services, General Funds, delete "\$236,953" and insert "\$215,773"

Operating Expenses, General Funds, delete "\$24,533,774" and insert "\$25,632,689"

Operating Expenses, Other Funds, delete "\$138,472" and insert "\$238,472"

(11) Education Resources

Operating Expenses, General Funds, delete "\$8,716,179" and insert "\$7,898,678"

Operating Expenses, Other Funds, delete "\$604,572" and insert "\$1,354,572"

Section 23. That section 17 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF PUBLIC SAFETY

(2) Highway Patrol

Operating Expenses, Other Funds, delete "\$7,591,070" and insert "\$8,925,470"

(4) Legal and Regulatory Services

Operating Expenses, General Funds, delete "\$1,324,764" and insert "\$1,274,764"

Operating Expenses, Federal Funds, delete "\$8,465,804" and insert "\$11,215,804"

(5) 911 Coordination Board - Informational

Operating Expenses, Federal Funds, delete "\$0" and insert "\$1,000,000"

Section 24. That section 18 of chapter 27 of the 2019 Session Laws be amended to read:

BOARD OF REGENTS

(1) Board of Regents Central Office

Operating Expenses, General Funds, delete "\$18,823,000" and insert "\$21,944,820"

(3) South Dakota Scholarships

Operating Expenses, General Funds, delete "\$6,727,630" and insert "\$6,577,630"

(4) University of South Dakota

Personal Services, Other Funds, delete "\$52,757,138" and insert "\$53,180,647"

Operating Expenses, General Funds, delete "\$3,257,298" and insert "\$3,033,149"

Operating Expenses, Other Funds, delete "\$45,055,088" and insert "\$45,539,373"

(5) University of South Dakota Law School

Operating Expenses, Other Funds, delete "\$820,971" and insert "\$941,971"

(7) South Dakota State University

Operating Expenses, General Funds, delete "\$5,322,188" and insert "\$5,069,148"

(10) SD School of Mines and Technology

Operating Expenses, General Funds, delete "\$948,441" and insert "\$1,337,934"

(11) Northern State University

Operating Expenses, General Funds, delete "\$897,046" and insert "\$848,746"

(12) Black Hills State University

Operating Expenses, General Funds, delete "\$632,804" and insert "\$589,617"

(13) Dakota State University

Personal Services, General Funds, delete "\$9,263,099" and insert "\$9,463,099"

Personal Services, Other Funds, delete "\$20,302,213" and insert "\$20,792,213"

Operating Expenses, General Funds, delete "\$651,459" and insert "\$612,867"

Operating Expenses, Other Funds, delete "\$16,912,056" and insert "\$18,582,056"

FTE, delete "326.8" and insert "327.8"

(14) SD School for the Deaf

Operating Expenses, General Funds, delete "\$1,010,545" and insert "\$916,941"

Operating Expenses, Other Funds, delete "\$667,256" and insert "\$2,117,256"

(15) SD School for the Blind and Visually Impaired

Operating Expenses, General Funds, delete "\$302,011" and insert "\$286,494"

Section 25. That section 19 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF THE MILITARY

(1) Adjutant General

Personal Services, General Funds, delete "\$438,007" and insert "\$453,507"

(2) Army Guard

Personal Services, General Funds, delete "\$420,722" and insert "\$390,722"

Operating Expenses, General Funds, delete "\$2,729,682" and insert "\$2,727,832"

Operating Expenses, Federal Funds, delete "\$12,650,725" and insert "\$12,653,009"

(3) Air Guard

Personal Services, General Funds, delete "\$204,892" and insert "\$219,392"

Personal Services, Federal Funds, delete "\$2,891,995" and insert "\$2,856,995"

Operating Expenses, General Funds, delete "\$254,066" and insert "\$272,199"

Operating Expenses, Federal Funds, delete "\$2,712,093" and insert "\$2,766,492"

Section 26. That section 20 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF VETERANS' AFFAIRS

(2) State Veterans' Home

Operating Expenses, Other Funds, delete "\$3,329,930" and insert "\$3,203,367"

Section 27. That section 21 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF CORRECTIONS

(1) Administration, Corrections Central Office

Personal Services, General Funds, delete "\$1,722,404" and insert "\$1,923,404"

Operating Expenses, General Funds, delete "\$1,179,549" and insert "\$1,479,549"

FTE, delete "22.0" and insert "23.5"

(2) Mike Durfee State Prison

Operating Expenses, General Funds, delete "\$6,791,778" and insert "\$7,159,379"

Operating Expenses, Federal Funds, delete "\$51,213" and insert "\$28,842"

(3) State Penitentiary

Operating Expenses, General Funds, delete "\$6,762,584" and insert "\$7,003,202"

Operating Expenses, Federal Funds, delete "\$60,495" and insert "\$17,830"

(4) Women's Prison

Personal Services, General Funds, delete "\$4,024,724" and insert "\$4,180,879"

Operating Expenses, General Funds, delete "\$1,932,665" and insert "\$2,013,971"

Operating Expenses, Federal Funds, delete "\$23,659" and insert "\$12,365"

(6) Inmate Services

Personal Services, General Funds, delete "\$2,997,859" and insert "\$3,055,294"

Operating Expenses, General Funds, delete "\$30,697,053" and insert "\$28,150,453"

(7) Parole Services

Personal Services, General Funds, delete "\$3,950,873" and insert "\$4,130,299"

Operating Expenses, General Funds, delete "\$2,271,622" and insert "\$2,289,167"

Section 28. That section 22 of chapter 27 of the 2019 Session Laws be amended to read:

DEPARTMENT OF HUMAN SERVICES

(2) Developmental Disabilities

Operating Expenses, General Funds, delete "\$63,311,136" and insert "\$64,311,136"

Operating Expenses, Federal Funds, delete "\$92,214,209" and insert "\$93,561,076"

(3) South Dakota Developmental Center - Redfield

Personal Services, General Funds, delete "\$8,434,038" and insert "\$7,802,981"

Personal Services, Federal Funds, delete "\$11,404,984" and insert "\$10,555,034"

1 Operating Expenses, General Funds, delete "\$2,291,015" and insert "\$2,277,423"

2 Operating Expenses, Federal Funds, delete "\$2,903,362" and insert "\$2,885,057"

3 FTE, delete "346.6" and insert "316.6"

4 (4) Long Term Services and Supports

5 Operating Expenses, General Funds, delete "\$93,667,385" and insert "\$90,886,944"

6 Operating Expenses, Federal Funds, delete "\$127,243,759" and insert "\$123,498,875"

7 **Section 29.** That section 26 of chapter 27 of the 2019 Session Laws be amended to read:

8 UNIFIED JUDICIAL SYSTEM

9 (2) Unified Judicial System

10 Operating Expenses, General Funds, delete "\$5,055,636" and insert "\$5,500,735"

11 **Section 30.** That section 27 of chapter 27 of the 2019 Session Laws be amended to read:

12 LEGISLATIVE BRANCH

13 (1) Legislative Operations

14 FTE, delete "31.6" and insert "32.6"

15 SLE, General Funds, delete "\$6,860,127" and insert "\$7,023,075"

16 **Section 31.** That section 28 of chapter 27 of the 2019 Session Laws be amended to read:

17 OFFICE OF THE ATTORNEY GENERAL

18 (1) Legal Services Program

19 Operating Expenses, Other Funds, delete "\$1,086,407" and insert "\$1,686,407"

20 (2) Criminal Investigation

21 Personal Services, Other Funds, delete "\$2,893,302" and insert "\$2,860,150"

22 Operating Expenses, General Funds, delete "\$1,488,630" and insert "\$1,579,508"

23 Operating Expenses, Federal Funds, delete "\$2,046,676" and insert "\$2,668,796"

24 Operating Expenses, Other Funds, delete "\$3,093,610" and insert "\$3,078,889"

25 FTE, delete "102.5" and insert "102.0"

26 **Section 32.** That section 30 of chapter 27 of the 2019 Session Laws be amended to read:

27 SECRETARY OF STATE

28 (1) Secretary of State

29 Operating Expenses, General Funds, delete "\$382,190" and insert "\$717,190"

30 Operating Expenses, Federal Funds, delete "\$1,212,127" and insert "\$4,212,127"

Section 33. That section 31 of chapter 27 of the 2019 Session Laws be amended to read:

STATE TREASURER

(2) Unclaimed Property - Informational

Personal Services, Other Funds, delete "\$300,026" and insert "\$333,528"

Operating Expenses, Other Funds, delete "\$28,624,536" and insert "\$28,665,606"

FTE, delete "3.8" and insert "4.4"

Section 34. That section 32 of chapter 27 of the 2019 Session Laws be amended to read:

STATE AUDITOR

(1) State Auditor

Operating Expenses, General Funds, delete "\$152,608" and insert "\$160,064"

Section 35. Adjust all totals accordingly in sections 1 to 22, inclusive, of this Act.

Section 36. That chapter 27 of the 2019 Session Laws be amended by adding thereto NEW SECTIONS to read:

Section 41. The state treasurer shall transfer from the telecommunications relay fund the sum of two hundred fifty thousand dollars (\$250,000) to the department of education finance and management fund for the purpose of deaf education and dyslexia professional development.

Section 42. The state treasurer shall transfer from the general fund the sum of one million one hundred twenty-five thousand dollars (\$1,125,000) to the postsecondary scholarship grant fund for the purpose of increasing earnings from the fund for critical teaching needs scholarships.

Section 43. The state treasurer shall transfer from the general fund the sum of four million eleven thousand eight hundred thirty-seven dollars (\$4,011,837) to the highway fund for the purpose of county and township roads and bridges.

Section 37. Funds appropriated by this Act which are unspent at the end of fiscal year 2020 may be carried over to fiscal year 2021.

Section 38. This Act is effective June 29, 2020.

"

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 1291** which was tabled.

Also MR. PRESIDENT:

The Joint Committee on Appropriations respectfully reports that it has had under consideration **HB 1294** and returns the same with the recommendation that said bill do pass.

Respectfully submitted,
John Wiik, Co-Chair

Respectfully submitted,
Chris G. Karr, Co-Chair

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 38: FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal year 2020.

Was read the second time.

Sen. Wiik moved that **SB 38** be placed on the calendar of Thursday, March 12, 2020, the 36th legislative day.

Which motion prevailed and **SB 38** was so placed.

SB 38 having had its second reading was up for consideration and final passage.

The question being "Shall **SB 38** pass as amended?"

And the roll being called:

Yeas 31, Nays 2, Excused 2, Absent 0

Yeas:

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

Nays:

Phil Jensen and Russell

Excused:

Schoenbeck and 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.

MESSAGES FROM THE HOUSE

Mr. PRESIDENT:

I have the honor to transmit herewith **HB 1294** which has passed the House and your favorable consideration is respectfully requested.

Respectfully,
Mary Lou Goehring, Chief Clerk

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1294: FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of the legislative, judicial, and executive departments of the state, the expenses of state institutions, interest on the public debt, and for common schools.

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

1 Sen. Wiik moved that **HB 1294** be placed on the calendar of Thursday, March 12, 2020, the
2 36th legislative day.

3 Which motion prevailed and **HB 1294** was so placed.

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

5 **HB 1294:** FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of
6 the legislative, judicial, and executive departments of the state, the expenses of state institutions,
7 interest on the public debt, and for common schools.

8 Was read the second time.

9 The question being "Shall **HB 1294** pass?"

10 And the roll being called:

11 Yeas 31, Nays 2, Excused 2, Absent 0

12 Yeas:

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

16 Nays:

17 Phil Jensen and Russell

18 Excused:

19 Schoenbeck and Wismer

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

22 **MESSAGES FROM THE HOUSE**

23 Mr. PRESIDENT:

24 I have the honor to transmit herewith **SB 38** which has passed the House and your favorable
25 consideration is respectfully requested.

26 Respectfully,
27 Mary Lou Goehring, Chief Clerk

28 **CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES**

29 Sen. Cammack moved that the report of the Conference Committee on **HB 1008** as found on
30 page 500 of the Senate Journal be adopted.

31 The question being on Sen. Cammack's motion that the report of the Conference Committee
32 on **HB 1008** be adopted.

33 And the roll being called:

34 Yeas 30, Nays 3, Excused 2, Absent 0

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

5 Nays:
6 Monroe, Russell, and Stalzer

7 Excused:
8 Schoenbeck and Wismer

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

11 **REPORTS OF STANDING COMMITTEES**

12 Mr. PRESIDENT:

13 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
14 Enrolling has carefully compared **SB 38** and finds the same correctly enrolled.

15 Respectfully submitted,

16 Brock L. Greenfield, Chair

17 Mr. PRESIDENT:

18 The Committee on Legislative Procedure respectfully reports that **SB 2, 38, 40, and 73** were
19 delivered to her Excellency, the Governor, for her approval at 10:50 p.m., March 12, 2020.

20 Respectfully submitted,
21 Brock L. Greenfield, Chair

22 **SIGNING OF BILLS**

23 The President publicly read the title to

24 **SB 38:** FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal year
25 2020.

26 **HB 1008:** FOR AN ACT ENTITLED, An Act to legalize the growth, production, and
27 transportation of industrial hemp in the state, to make an appropriation therefor, and to declare an
28 emergency.

29 **HB 1042:** FOR AN ACT ENTITLED, An Act to revise the special education property tax levy for
30 school districts and to revise the state aid to special education formula.

31 **HB 1043:** FOR AN ACT ENTITLED, An Act to revise the property tax levies for the general fund
32 of school districts and to revise the state aid to education formula.

HB 1294: FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of the legislative, judicial, and executive departments of the state, the expenses of state institutions, interest on the public debt, and for common schools.

Kay Johnson, Secretary

14

