



**GREATER
SIOUX FALLS
CHAMBER OF COMMERCE**



2021 Legislative Report

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EXECUTIVE SUMMARY

The Greater Sioux Falls Chamber of Commerce is the voice of business when it comes to advocating for our greater business community. This report is dedicated to our state advocacy efforts for the 96th South Dakota Legislative Session. With guidance from our members, the Chamber's advocacy platform is created through the Issues Management Council (IMC) and adopted by the Board of Directors. During the legislative session we engage our members in the process through Sioux Falls Day at the Legislature and three Legislative Coffees. These events bring members and our community together with legislators. The Coffees had more than 200 in-person and virtual attendees at each session.

Every legislative session is distinct with differing interests and influences. This year was no different. Governor Noem is in the third year of her first term. The 2020 Election changed the face of the legislature and their leadership. This report provides a comprehensive analysis of all the influences that contributed to legislative outcomes. This year the Chamber evaluated all 477 bills and joint resolutions and communicated with the key legislators about legislation affecting our members. Here are some of the highlights:

EDUCATION AND WORKFORCE DEVELOPMENT

The future of South Dakota depends on educating our residents and developing our workforce to remain competitive on a regional, national and international scale. The Chamber is vigilant on education and workforce development advocacy. Our highest priority for the 96th legislative session was the passage of SB 171, the South Dakota Freedom Scholarship bill, which provided \$50 million for the purposes of funding a scholarship endowment held with the South Dakota Community Foundation and administered by the South Dakota Freedom Scholarship Board. Sioux Falls community leaders—T. Denny Sanford, Dana Dykhouse and Miles Beacom—have committed to raising/giving \$150 million to fund a trust designed to provide a college education for South Dakota kids who have demonstrated academic aptitude but would not have the financial means to attend college.

Other efforts include seeking a \$7.5 million appropriation for Southeast Technical College (SB 185 and HB 1267) to buy a portion of the New Tech High and renovate that facility and others to increase their program capacity. Although efforts on this front were not successful, we will continue with this effort in 2022.

ECONOMIC DEVELOPMENT AND BUSINESS CLIMATE

The Chamber supported legislation to protect employers from lawsuits for certain exposures to COVID-19. HB 1246 provides protections to employers and businesses against COVID-19 legal claims unless exposure was intentional and negligent. The bill limits the time frame of January 2020 to January 2023. Our advocacy efforts included the passage of legislation to extend commercial driver's permits from 180 days to one year and we successfully opposed an effort to remove local control on the regulation of food trucks.

But the Chamber did not stop there; we supported \$1.9 million for the Sioux Falls airport route restoration and recruitment and funding to support our State Veteran's Cemetery construction and the alignment of their endowment fund. The Chamber also supported the National Guard Readiness Center (\$15.5 million) and the Department of Military's Cold Storage building to store equipment away from the elements (\$750,000).

CANNABIS

The Chamber supported a bill that prohibits smoking marijuana or ingesting a marijuana concentrate while operating a vehicle.

DIVERSITY AND INCLUSIVITY

The Chamber recognizes the growing diversity of our state's population and embraces the opportunities that this diversity provides for a culturally- and talent-rich community. The Chamber helped defeat two bills—a birth certificate bill and a women's sport bill—that were discriminatory. Discriminatory bills, such as this year's HB 1076 and 1217, have a negative economic impact on our state due to negative national media attention affecting our visitor industry efforts, sporting events, entertainment/concerts and workforce and business recruitment.

The Chamber lost an effort to make Juneteenth a working holiday for South Dakota. Our state is one of a handful of states that do not honor Juneteenth. Juneteenth is recognized because on June 19, 1865, the slaves in Texas, a geographically remote region of the confederacy, were officially informed by units of the United States military that the Civil War was over, that slavery in the United States had been abolished, and that the slaves were now free persons.

HEALTH CARE

The Chamber helped defeat two anti-vaccination bills. One bill sought to broaden the exemptions for the admission to schools for students who are not immunized. Current law requires any child entering school or an early childhood program in South Dakota receive certain immunizations, except those with an adherence to a religious doctrine whose teachings are opposed to such immunization or if the immunization would endanger the child's life or health. SB 2 added an exception of a sincerely held religious or philosophical beliefs.

The other anti-vaccination bill sought to codify an individual right of refusing to accept any medical intervention, including any vaccination that may be required by an employer. The bill would have protected those employees who may be subjected to discrimination or retaliation with respect to association, education, employment, housing, property rights, public accommodations, or public services for refusing to be vaccinated. Both federal and state law provide discrimination laws now, this bill would have created a new cause of action against employers should it have passed, including employers who work in the field of health care. The bill also precluded an employer from taking steps to screen any person entering the workplace, in order to determine whether the person had an infectious, contagious or possibly contagious disease, if the screening is job-related and consistent with business necessity.

According to the CDC, vaccinations have prevented more than 21 million hospitalizations and 732,000 deaths among children born in the last 20 years.

ENVIRONMENT

The Chamber supported a riparian buffer strip bill to further incentivize a state water conservation program for landowners by removing some of the red tape to apply for the program and by lengthening the reduction of property taxes from one year to ten years. Moreover, the Chamber supported a \$3 million appropriation for the cleanup of the Big Sioux River and watershed and to declare an emergency.

IN CONCLUSION

Our 2021 Legislative Annual Report includes all our advocacy work and **legislative scorecard**. Moreover, it covers the Governor's veto of HB 1217. We appreciate the Governor's and legislators' willingness to hold a legislative session while balancing the challenges of COVID-19. South Dakota was one of the few states that held an in-person legislative session. There is much to celebrate about the work that was accomplished. We anticipate a special legislative session later this year. The December special legislative session will focus on redistricting. There may be an additional legislative session to manage the expenditure of new COVID-19 relief dollars as well.

In conclusion, our efforts are guided by our members through the leadership of the Issues Management Council, the Legislative Issues Council and the Board of Directors. We thank them for their valued involvement!



2021 Legislative Report

INTRODUCTION

The Chamber Legislative Report is intended to serve as a recap of our advocacy work on member-identified public policy initiatives that are key to the success of our business community. Through your support, the Chamber is actively engaged on your behalf in Pierre during the legislative session. As the “voice of business” we engage and educate legislators on the impact of the legislation on our member businesses and, when possible, seek to provide solutions.

The Chamber’s advocacy efforts are member focused. The Chamber has two major documents that guide our advocacy efforts. Every fall, our Issues Management Council (IMC) meets and reviews both our Policy Statements and our Legislative Platform. Our Policy Statements serve to guide advocacy efforts for federal, state and local governments and outline the public policy positions that underpin our member interests. Our 2021 Legislative Platform addresses policy in each of the major categories and subcategories. Both documents are included with this report in the appendix.

We thank our Issues Management Council, the Legislative Issues Council and the Chamber’s Board of Directors for their guidance and support in developing these documents and supporting our advocacy activities. In particular, thank you to Sarah Larson, Davenport, Evans, Hurwitz & Smith, LLP; and Paul Bruflat, CNA Surety; who serve as chair and vice-chair respectively of IMC.

Also included in the appendix is our 2021 Legislative Bill Tracker in its completed form. The tracker is a tool to help us capture the most important issues (Tier 1) and other important issues (Tier 2) that we follow during session. Tier 1 bills are those the Chamber is most likely to actively engage in from the perspective of presentations, one-on-one lobbying, email lobbying, grassroots lobbying, etc. Tier 2 bills are those issues that need to be tracked but may not directly impact our business community. The reader will notice that we track and advocate on a lot of bills – more than 100 bills in total.

As a percentage of the state’s gross domestic product (GDP), the Sioux Falls Metropolitan Statistical Area (MSA) is nearly 40%¹ of the state’s economy. The greater Sioux Falls area, a four-county region, continues to expand. As our economy grows, so does the population as individuals and families seek better paying jobs, strong educational opportunities and quality of life amenities for their families. The Chamber’s advocacy efforts are extensive as we seek to represent our members’ policy interests in Pierre.

Finally, we will look to the future, including the 2022 general election next November and the 2022 legislative session next year. The Chamber established a political action committee, BIZPAC, in 2020. BIZPAC was a member-led initiative seeking to support pro-business candidates for legislative office. This year the Chamber will launch a program to engage in candidate recruitment efforts as well. The Chamber, working with like-minded business-focused stakeholders, will seek out candidates who support policies that encourage a strong South Dakota economy.

Before diving into the annual report, we want to thank Governor Kristi Noem, Lt. Governor Larry Rhoden, constitutional officers and our 105 state legislators who serve the citizens of our state. Thank you for your service.

SETTING THE STAGE: WHO ARE THE KEY INFLUENCERS?

Each session is greatly impacted by various influences, ranging from those who are elected to serve to those who work in advocacy, like our Chamber.

Governor Kristi Noem, South Dakota’s first female governor, is in her third year leading our state. The 2020 election brought

¹ This number comes from the State of South Dakota, Governor’s Office of Economic Development.

changes to our legislature and to the leadership of the Senate and House of Representatives. The South Dakota Legislature is bicameral and comprised of 105 lawmakers from 35 legislative districts. The House is comprised of 70 members; the Senate is comprised of 35 members.

After every general election, the House and Senate elect their leadership from their members. Here are the Republican (R) and Democratic (D) leadership for both houses.

Senate Leadership includes:

President of the Senate,
Lieutenant Governor Larry Rhoden (R)
President Pro Tempore, Lee Schoenbeck (R)
Majority Leader, Garry Cammack (R)
Assistant Majority Leader, Michael Diedrich (R)
Majority Whips:
 Jim Bolin* (R)
 Casey Crabtree (R)
 Helen Duhamel (R)
 Kyle Schoenfish (R)
Minority Leader, Troy Heinert (D)
Assistant Minority Leader, Red Dawn Foster (D)
Minority Whips, Reynold F. Nesiba* (D)

House of Representative’s Leadership includes:

Speaker of the House, Spencer Gosch (R)
Speaker Pro Tempore, Jon Hansen* (R)
Majority Leader, Kent Petersen (R)
Assistant Majority Leader, Chris Johnson (R)
Majority Whips:
 Kirk Chaffee (R)
 Tim Goodwin (R)
 Kevin D. Jensen* (R)
 Rebecca Reimer (R)
 Marli Wiese (R)
Minority Leader, Jamie Smith* (D)
Assistant Minority Leader, Oren Lesmeister (D)
Minority Whips:
 Shawn Bordeaux (D)
 Erin Healy* (D)

** Denotes the member is a Sioux Falls area legislator.*

When the 105 are not serving in the legislature, they represent primarily business (many legislators are self-employed). These are the sectors which they represent:

- | | |
|-------------------------------------|-------------------------------|
| 54 – business professionals | 5 - agriculture (business) |
| 13 – retired people | 5 – health care professionals |
| 12 – agriculture (farmers/ranchers) | 5 – educators |
| 11 – legal/attorneys | |

ELECTIONS’ IMPACT ON THE INFLUENCERS

November 2022 will bring another general election and although it seems early for those not immersed in the political world, it is important to discuss term limits and the number of open legislative races that occur as a result of South Dakota law. In every even numbered year, several legislators reach their maximum number of terms (four) in either the House or Senate. South Dakota’s term of office for both senators and representatives is two years. Prior to a voter-approved constitutional change in November of 1992, term limits for legislators did not exist in our state. Now, legislative terms of office are set by Article III, § 6 of the South Dakota Constitution, which states in part:

. . .No person may serve more than four consecutive terms or a total of eight consecutive years in the senate and more than four consecutive term or a total of eight consecutive years in the house of representatives. However, this restriction does not apply to partial terms to which a legislator may be appointed.

However, being termed from one house does not prohibit the legislator from ‘crossing the rotunda’ to run for the other house. The legislators who are term limited from running again for the same house in 2022 include:

Senators

Gary Cammack (R)
R. Blake Curd (R)
Brock Greenfield (R)
Troy Heinert (D)
Art Rusch (R)

Representatives

David Anderson (R)
Arch Beal (R)
Shawn Bordeaux (D)
Lana Greenfield (R)
Steve Haugaard (R)
Sam Marty (R)
Kent Peterson (R)
Mark Willadsen (R)

Legislative reapportionment, sometimes referred to as redistricting, happens after every decennial census and is the process of drawing new congressional and state legislative boundaries for the 35 legislative² districts. Upon completion of the federal census, the legislature will again work to reapportion the legislature in 2021. However, the census results have been delayed by the COVID-19 pandemic. This year, the Legislative Redistricting Committee will begin their work in late fall rather than in April. The Committee is comprised of the following legislators:

Senators

Mary Duvall, Chair (R)
Jim Bolin, Vice-Chair (R)
Casey Crabtree (R)
Michael Diedrich (R)
Helene Duhamel (R)
Troy Heinert (D)
Kyle Schoenfish (R)

Representatives

Spencer Gosch, Chair (R)
Kent Peterson, Vice-Chair (R)
Ryan Cwach (D)
Mike Derby (R)
Jon Hanson (R)
Liz May (R)
Bethany Soye (R)

The Legislative Redistricting Committee seeks to balance the number of registered voters within each legislative district by following both state and federal laws. The South Dakota Constitution provides for legislative reapportionment in Article III, § 5:

An apportionment shall be made by the legislature in 1983 and 1191, and every ten years after 1991. Such apportionment shall be accomplished by the December first of the year in which the apportionment is required. If any legislature whose duty it is to make an apportionment shall fail to make the same as herein provided, it shall be the duty of the Supreme Court within ninety days to make such appointment.

The Committee will also be guided by South Dakota Codified Law (SDCL) 2-2-41 which provides, as a matter of policy, the following principles that are of primary significance for redistricting:

- (1) Adherence to standards of population deviance as established by judicial precedent and to standards of population deviance as prescribed by S.D. Const., Art. III, § 5;
- (2) Protection of communities of interest by means of compact and contiguous districts;
- (3) Respect for geographical and political boundaries; and
- (4) Protection of minority voting rights consistent with the United States Constitution, the South Dakota Constitution, and federal statutes, as interpreted by the United States Supreme Court and other courts with jurisdiction.

² There are 35 total legislative districts but District 26 is split into District 26A and 26B.
<https://vip.sdsos.gov/VoterRegistrationsByDistrict.aspx> (April 16, 2019).

However, the legislature does not have the last word on determining the legislative district boundaries. The courts have decided cases when legal challenges arose over the question of whether the newly drawn districts are in violation of Federal law. In 2006, after a federal court determined there was a violation of the Federal Voting Rights³ Act, a federal judge created a second single-member House district within District 26 and re-drew the boundaries of Districts 21 and 27.

Because of the relationship between legislative district boundaries and political party dominance, we may continue to see the interplay of the courts when there are legal assertions of wrongful reapportionment. In South Dakota, voter registration⁴ is overwhelmingly Republican. Republicans have 280,422 registered voters, Democrats have 158,357 registered voters, Independents number 141,047 and Libertarians number 2,469.

Once again, Republican party has a supermajority in this year's legislature. The Sioux Falls area currently includes 10 legislative districts with a total of 30 legislators. Like the statewide supermajority of registered republican voters, the greater Sioux Falls area has a supermajority of 26 Republican members and four Democratic members. Because of the significant population in the southeast corner of the state, we have strong legislative representation from the Sioux Falls area delegation. After the 2021 census is completed, our region anticipates an increase in legislative representation.

The political party that prevails in the general election, controls the leadership of the legislature. The November 2018 election brought a slight uptick of an additional two seats for Republicans from the 2016 election. Likewise, the 2020 election resulted in a gain of one more Republican seat and a loss of one Democrat legislator in the greater Sioux Falls area.

The Democrats lost three in the Senate but gained one in the House. The Senate is comprised of 32 Republicans and three Democrats. The House is comprised of eight Democrats and 62 Republicans. The Republican supermajority has maintained a significance because of the two-thirds vote required for emergency clauses, tax increase veto overrides (24 in the Senate and 47 in the House). Thus, Republicans had the super-majority, with some cushion, needed in both houses.

The table below illustrates the political party representation⁵ over the last decade:

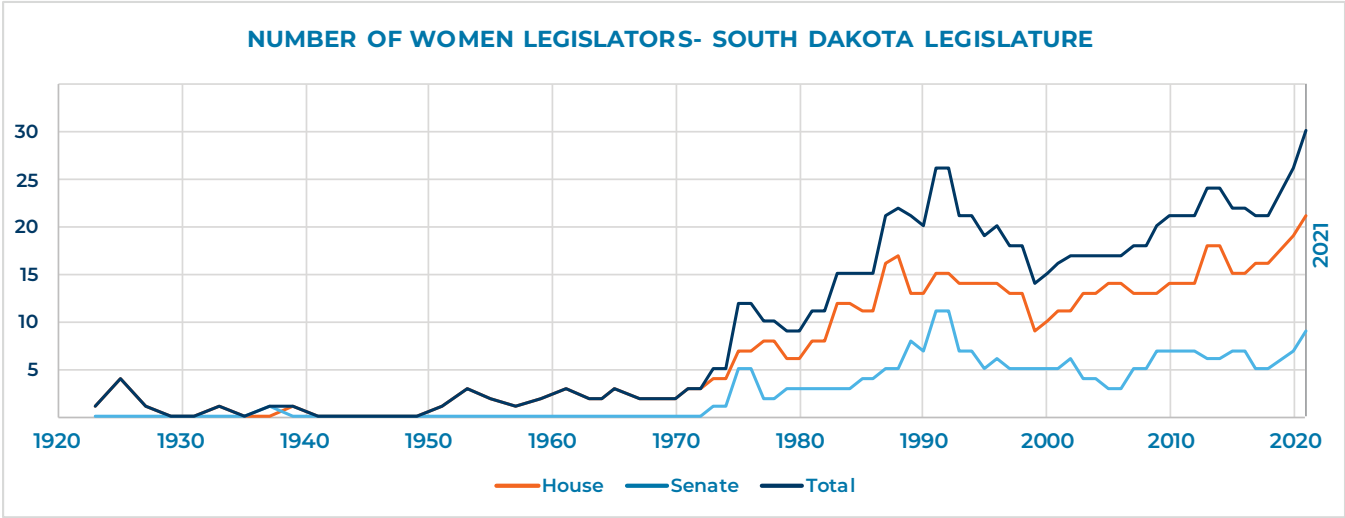
Year	Governor		Senate			House		
	Rep.	Dem.	Rep. (%)	Dem. (%)	Other	Rep. (%)	Dem. (%)	Other (%)
2007	X		20 (57%)	15 (43%)	0	50 (71%)	20 (29%)	0
2009	X		21 (60%)	14 (40%)	0	46 (66%)	24 (34%)	0
2011	X		30 (86%)	5 (14%)	0	50 (71%)	19 (27%)	1 (2%)
2013	X		28 (80%)	7 (20%)	0	53 (76%)	17 (24%)	0
2015	X		27 (77%)	8 (23%)	0	58 (83%)	12 (17%)	0
2017	X		29 (83%)	6 (17%)	0	60 (86%)	10 (14%)	0
2018	X		29 (83%)	6 (17%)	0	60 (86%)	10 (14%)	0
2020	X		30 (86%)	5 (14%)	0	59 (84%)	11 (16%)	0
2021	X		32 (86%)	3 (14%)	0	62 (84%)	8 (16%)	0

3 Bone Shirt v. Hazeltine, 2006, 461 F.3d 1011. Totality of the circumstances indicated that South Dakota's legislative redistricting plan violated § 2 of the Voting Rights Act, which prohibits denying the right to vote on account of race through voting qualifications or pre-requisites given racial polarization in districts, fact that no one Indian-preferred candidate was elected to state legislature from certain area during the 20-year period, an untenability of South Dakota's argument that it was relieved of liability because reservation system made Native-Americans less involved in state politics.

4 <https://vip.sdsos.gov/VoterRegistrationTotals.aspx> (April 13, 2021).

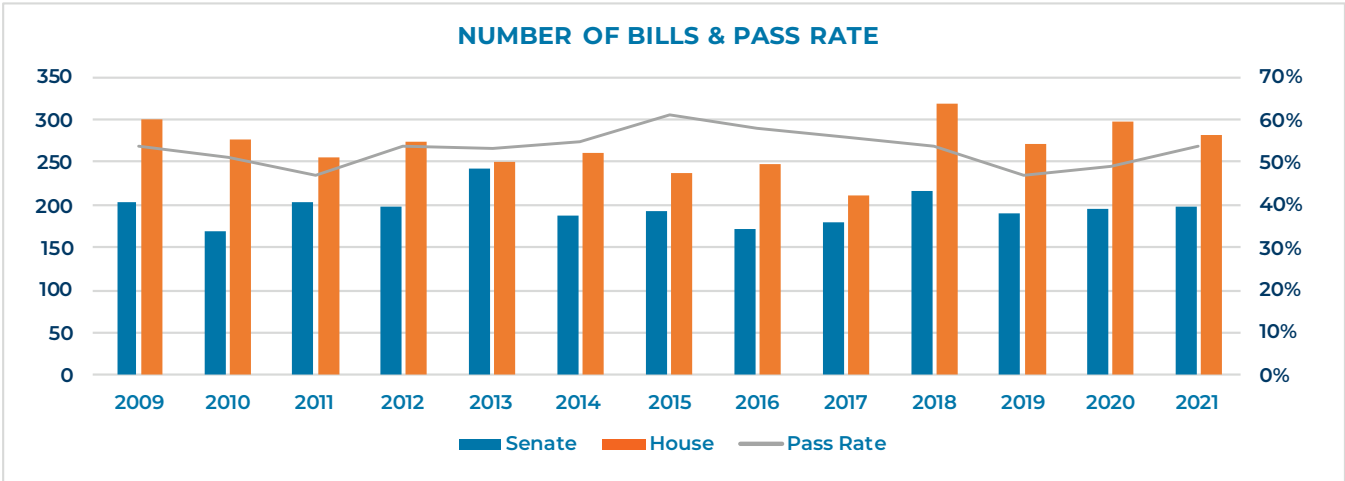
5 <https://sdlegislature.gov/docs/legsession/2019/LegislatorReferenceBook.pdf> (April 2020).

The gender mix of the legislature⁶ remains primarily male. There are 75 male members and 30 female members. The 2021 election brought the largest number of female legislators to serve in our state Capitol. The number of women elected to the Senate is nine and there were 21 women elected to the House. The table below shows the balance between the genders of the elected male and female legislators over the past 100 years.



LEGISLATION DIGEST

The 2021 legislative session’s bill count was neither the highest nor lowest bill count compared to the last ten legislative sessions. The chart⁷ below indicates the last ten years of pass rates and bills considered. During the main run, 283 House bills and 197 Senate bills - 485 in all - were introduced. The House passed 118 bills, including five House Joint Resolutions. The Senate passed 128 bills, include two Senate Joint Resolutions. This year the passage rate for House bills was 41.7% percent and the Senate’s passage rate of 65.6% percent.



However, this legislative year provided the most unusual focus on budget and appropriations bills. The flow of federal dollars was a significant influencer this year. South Dakota had benefited from \$296.1 million in federal funds that flowed into the state’s treasury and was appropriated by the legislature.

Although the number of bills in play were not significantly higher, the amount of bills with an emergency clause added to bills increased by 44%. Bills with emergency clauses, along with tax increases, require significantly higher affirmative vote for passage.

6 <https://sdlegislature.gov/docs/referencematerials/sc2019.pdf> (April 2020).
7 <https://sdlegislature.gov/docs/legsession/2020/LegislatorReferenceBook.pdf> (April 2020).

State law provides the effective date of laws passed at regular session shall be July 1 unless a different effective date is specified in the Act. The Legislature, however, by a vote of two-thirds of the members elect in each house is permitted to declare a bill an emergency clause. An emergency clause⁸ measure takes effect and is in force immediately after its passage and the approval of the Governor.

With the inflow of federal dollars, there were significant investments made to infrastructure and education and to Medicaid reimbursement rates. Here are a few of the investments:

- \$75 million for broadband grants, plus \$25 million in CARES Act money
- \$50 million for the need-based Freedom Scholarships
- \$50 million for Healthcare Trust Fund
- \$20 million for bio-products facility in Brookings
- \$20 million to pay off Technical College bonds
- \$20 million to build a livestock and equestrian complex at the State Fair
- \$15 million to pay for SDSU new dairy research extension farm
- \$9.5 million to build a bison visitors center in Custer State Park
- \$4.4 million airport flight restoration and recruitment (\$1.9 million for the SF Airport)
- \$3.2 million for the Liberty Center for Ellsworth
- \$ 3 million for the The Link in Sioux Falls
- \$ 3 million for the Big Sioux River cleanup
- \$1.5 million for making road improvements relating to the State Veteran's Cemetery

This is not an exhaustive list of the special appropriation bills, but it does provide the insight as to the significant investment in our state. It also provides awareness of the economic impact our state will enjoy over the next 12 to 24 months. Although the 2022 session is months away, the Chamber will continue to work with our community leaders to determine our priorities in anticipation of the American Rescue Plan⁹ federal dollars. Our region will determine what meaningful investments to infrastructure, workforce education and other possibilities need to be made to ensure the continued growth of this region and our state.

Yet another influencer was the disparity of the Medicaid reimbursement rates for community and health care providers and the effect of the federal dollars to those important services to the most vulnerable in our state. It has not been a secret that the negative impact to rural communities over the number of nursing homes that have closed in the past years is in large part because of the failure of Medicaid reimbursement rates to meet the rising cost of health care. This year the budget included significant rate increases of 2.4% for all healthcare providers. All community-based providers will receive 100% of their methodology costs. (This has been a goal for the last five years.) In addition, because community-support providers are currently undergoing their rate methodology review that other providers have completed, the governor is providing additional targeted inflation of 9.8% for Community Service Providers (CSP).

You can find more budget detail information later in this report.

Another influencer for this session is the relationship between the executive and legislative branch. The Chamber supports the branches of government and understands the importance of a strong legislative branch. However, we resist well-meaning but misguided bills that inadvertently encroach on the business community. As the voice of business our advocacy efforts

⁸ There are two types of emergency clauses: one is for the support of state government and its existing public institutions and the second is for the immediate preservation of the public peace, health or safety.

⁹ The American Rescue Plan (ARP) has many components outside of direct aid to state and local governments. There is funding for extended unemployment benefits, direct payments to individuals, housing, energy and environment, education, health and human services, transportation and infrastructure, and many other areas. A summary of those provisions has been put together by NCSL. The U.S. Treasury has also published a Fact Sheet on the ARP. The text of the complete ARP can be found at <https://www.congress.gov/117/bills/hr1319/BILLS-117hr1319enr.pdf>. As part of the \$1.9T ARP, \$350B has been appropriated as "Coronavirus State and Local Fiscal Recovery Funds."

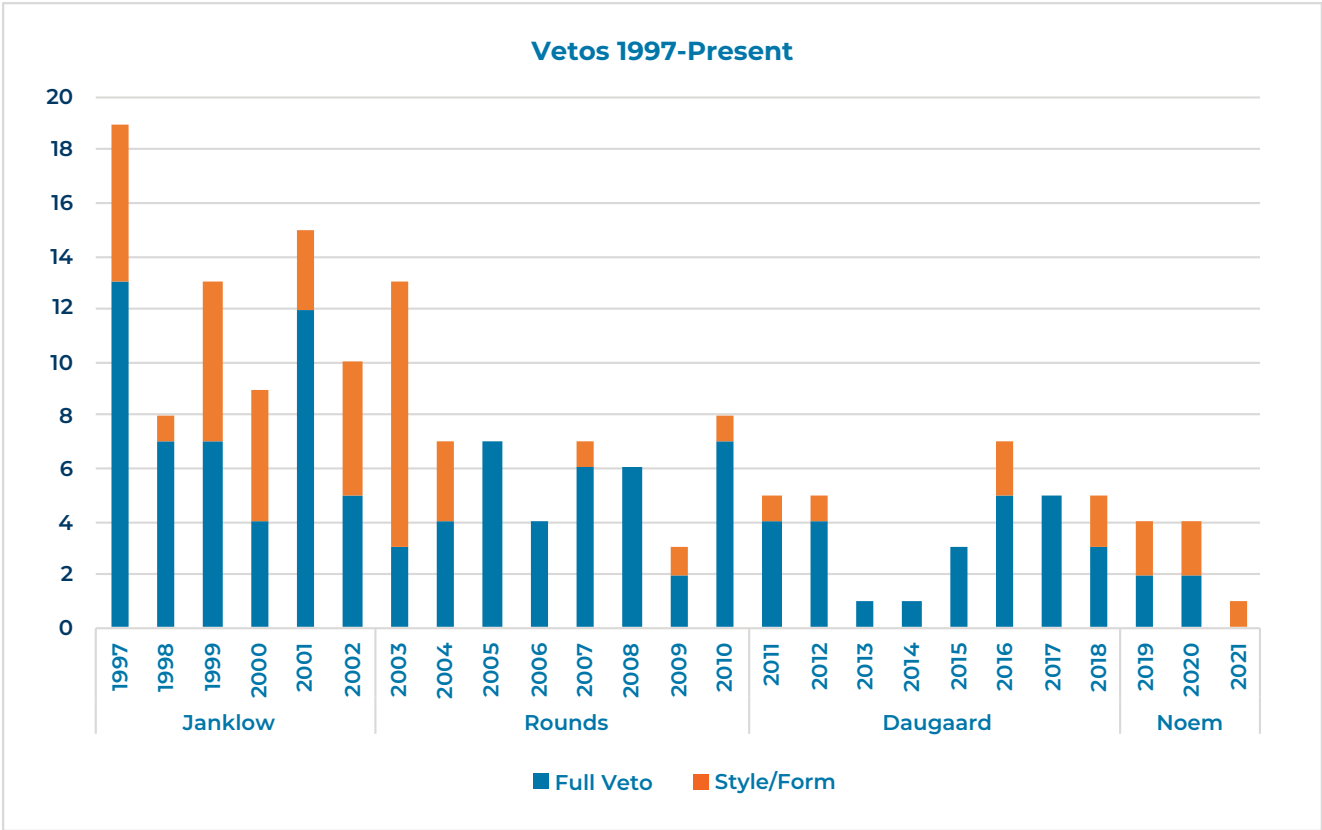
are stepped-up to ensure our members do not become a target when the branches of government tussle. The Chamber will remain vigilant as the voice of business for our members.

As the state seeks to tackle both a balancing a budget and funding programs, the Chamber remains engaged and partnered with like-minded chambers and business advocacy groups across the state to further our members’ agenda.

THE LEGISLATIVE CALENDAR AND VETOES

The 2021 Legislative Session began Tuesday, January 12 and ran through Thursday, March 11 and included 36 legislative days.

Veto Day was Monday, March 29; the 37th legislative day. The Governor issued¹⁰ one style and form veto, HB 1217, that was considered on Veto Day. This bill asserted it would bring fairness to women’s sports but the language of the bill went much further and would have prohibited both transgender females and cisgender females from playing women’s sports if they had taken any performance enhancing drugs for twelve months prior to engaging in a sport at high school, tech school and college and universities within South Dakota. More information on HB 1217 can found on page 20 of this report.



The Governor’s style and form veto was rebuffed by the House of Representatives with a vote of 2/67, a nearly unanimous vote against the proposed changes to the bill. Shortly after the House’s vote to reject the Governor’s changes, they returned the bill to the Governor’s office. Then Governor issued a second letter that put the House in a quandary for several hours. They were debating whether the Governor’s second letter rejecting HB 1217 was an actual veto. The Governor’s letter stated she was not issuing a full veto but following the language of the Constitution.

South Dakota’s constitution¹¹ provides:

10 <https://mylrc.sdlegislature.gov/api/Documents/220319.pdf> (April 1, 2021).

11 <https://sdlegislature.gov/Statutes/Constitution/2030104> (April 2020).

Bills with errors in style or form may be returned to the Legislature by the Governor with specific recommendations for change. **Bills returned shall be treated in the same manner as vetoed bills except that specific recommendations for change as to style or form may be approved by a majority vote of all the members of each house.** If the Governor certifies that the bill conforms with the Governor's specific recommendations, the bill shall become law. **If the Governor fails to certify the bill, it shall be returned to the Legislature as a vetoed bill.** (emphasis added.)

Ultimately, the House's effort to override the Governor's veto of HB 1217 failed. The vote was 45/24, just two votes shy of an override. Had the House's passed the bill with two-thirds vote, the Senate would then have had to pass the bill with a two-thirds vote to have become law.

After the House's consideration of the Governor's vetoes of HB 1217 they adjourned sine die. The Senate had already adjourned sine die moments before the House was finished for the day.

THE CHAMBER PLATFORM ADVOCACY EFFORTS

This section is intended to align the sections of our Legislative Platform with bills on which the Chamber advocated on behalf of our members. These are the Tier One bills. The advocacy efforts capture key bills that directly impact our members but may not include every bill. With a limited amount of time and resources we use our best effort to directly advocate on legislation outlined in our major platform areas. Moreover, we followed a comprehensive list of more than 100 bills, through the Chamber Bill Tracker. The title of the bill included below is the title as it existed for final action on the bill. In some instances, this can be quite different than the title of the bill when it was filed.

The 2021 Legislative Platform in its entirety is included as an appendix to this report. Thus, this summary only includes platform related sections and the bills advocated on.

EDUCATION AND WORKFORCE DEVELOPMENT

The future of Sioux Falls and South Dakota depends on educating our citizens and developing our workforce to remain competitive on a regional, national and international scale. It is vital to foster an educational system that works in tandem with the business community and government to address and support workforce development initiatives. Quality education is essential for the business community to attract new employers and employees and to educate a growingly diverse workforce.

To support our state's citizens and to meet our workforce development needs, the Chamber supports the allocation of public monies to ensure funds for an equitable, effective and efficient system of pre-K-12, technical schools and higher education.

Higher Education: The Chamber acknowledges that a highly educated populace is critically important to many individual businesses and to competitively position our community for future economic development. In order to retain our students, the Chamber encourages the expansion of scholarship funding. This includes, but is not limited to, need-based scholarships along with the Build Dakota Scholarship and South Dakota Opportunity Scholarship. We support adequate funding for the Regental system and encourage consideration for funding options for the USD Community College for Sioux Falls to address tuition and service inequalities and new mission opportunities. Further, we encourage more local governance and input into the Community College to better align its programs with the needs of residents and the business community.

SB 171: An Act to provide for the South Dakota Freedom Scholarship, make an appropriation therefore, and declare an emergency.

- **Sponsors:** Senator Lee Schoenbeck and Representative Kent Peterson.
- **What the bill does:** This bill appropriates \$50 million for purposes of funding the South Dakota needs-based scholarship endowment held with the South Dakota Community Foundation and administered by the South Dakota Freedom Scholarship Board. Sioux Falls community leaders T. Denny Sanford, Dana Dykhouse and Miles Beacom have committed to raising/giving \$150 million to fund a trust designed to provide a

college education for South Dakota kids who have demonstrated academic aptitude but would not have the financial means to attend college.

- **Legislative action:** The Senate passed the bill with a vote of 32/1 and the House passed the bill with a vote of 52/17.
- **Status:** Governor signed the bill. The bill took effect upon the signing of Governor Noem's signature on March 18.
- **Position:** Actively supported

HB 1267: An Act to make an appropriation to the Board of Technical Education for the construction of new facilities and renovation of existing facilities and to declare an emergency.

- **Sponsors:** The Committee on Appropriations
- **What the bill does:** This bill sought to appropriate the sum of \$12 million to the to the Board of Technical Education, for the purpose of purchasing of constructing new facilities and purchasing and renovating existing facilities for use by the technical colleges. The Board of Technical Education would determine the distribution of funding to each technical college.
- **Legislative action:** This was a vehicle bill for technical colleges and had passed through the House with a vote of 57/9. The Committee on Appropriations amended bill adding specific language and increased the appropriation to \$12 million with a vote of 8/0. The Senate tabled the bill with a vote of 24/11.
- **Status:** Dead
- **Position:** Actively supported both this bill and the related tech school bill, SB 185, after the Committee on Appropriations hoghoused HB 1267 to include the \$12 million. Details of SB 185 is noted under the Education section on page 17.

BUSINESS CLIMATE

The Chamber believes our economy is best served by allowing free and open competition in the marketplace in an environment that encourages business development and expansion. Laws that preclude or give advantage to one business structure or arrangement over another ultimately lessen competition and reduce our area's attractiveness as a business location. Barriers to business investment and capital formation impede growth and economic diversification. Appropriate rules and regulations may be required for a viable free market, but government intrusion should not inhibit or restrict business unnecessarily.

The Chamber opposes unnecessary intrusions into employer/employee relationships. We support voluntary agreements between management and the workforce establishing compensation, benefits, hours and working conditions.

HB 1046: An Act to limit liability for certain exposures to COVID-19.

- **Sponsors:** Representative David Anderson and Senator Michael Diedrich
- **What the bill does:** The bill provides protections to employers and businesses against COVID-19 legal claims unless exposure was intentional and negligent. The bill limits the time frame of January 2020 to January 2023. A coalition of more than 40 businesses and agricultural groups supported this bill.
- **Legislative action:** House passed the bill 60/10 and the Senate passed the bill 29/3.
- **Status:** Signed by the Governor
- **Position:** Actively supported

HB 1154: An Act to prohibit employment contracts restricting competitive health care practices.

- **Sponsors:** Representative Fred Deutsch and Senator Blake Curd

- **What the bill does:** The bill restricts health care employer noncompete contracts with the following health care professionals: physicians, physician assistants, certified nurse practitioners, certified nurse midwives, registered nurses, registered nurse anesthetists and licensed practical nurses.
- **Legislative Action:** The House passed the bill 41/27 and the Senate passed the bill 19/16.
- **Status:** Signed by the Governor
- **Position:** Opposed

HB 1246: An Act to impose a tax on the gross receipts of ambulatory surgery centers and surgical specialty hospitals, provide a penalty for a violation thereof, and to declare an emergency.

- **Sponsor:** Representative Tim Goodwin
- **What the bill does:** The bill would have imposed a tax of 6% on gross receipts for all ambulatory surgery centers.
- **Legislative action:** The House do pass motion failed 25/14.
- **Status:** Dead
- **Position:** Opposed

HB 1247: An Act to provide for the protection of the consciences of medical professionals.

- **Sponsors:** Representative Jon Hanson and Senator Blake Curd
- **What the bill does:** While federal provisions in Title VII cover protections for employees in the workplace against discrimination, HB 1247 would have added significant protections beyond federal law. The bill sought to add additional protections for employees to state law for medical practitioners, health care institutions or health care payers that would grant a new right not to participate in or pay for any health care service which violates his, her or its conscience.
- **Legislative action:** The bill died in the House with a vote of 25/41.
- **Status:** Dead
- **Position:** Opposed

SB 30: An Act to extend the issuance period for commercial learner's permits.

- **Sponsors:** The Committee on Transportation at the request of the Department of Public Safety.
- **What the bill does:** This bill seeks to extend a commercial driver's license permit from 180 days to one year. Federal law already allows a year for a CDL learners permit. Note: a commercial learner's permit may be issued to a person eighteen years of age who holds a valid operator's license. No commercial learner's permit may be renewed without the holder having to retake each general and endorsement knowledge test.
- **Legislative action:** The Senate passed the bill 34/0 and the House passed the bill 70/0.
- **Status:** Signed by the Governor
- **Position:** Supported

SB 107: An Act to ease regulations related to mobile food service establishments.

- **Sponsors:** Senator Al Novstrup and Representative Aaron Aylward
- **What the bill does:** This bill sought to remove local control on food trucks and vest more power to regulate these vehicles at the state level.
- **Legislative action:** Senate Commerce and Energy Committee failed to pass by a vote 2/7.
- **Status:** Dead
- **Position:** Opposed

WORKFORCE HOUSING

The Chamber supports expanding workforce housing for workforce development, retention and recruitment that is accessible for low and moderate income individuals.

SB 155: An Act to appropriate funds to support revolving funds for multi-family workforce housing and to declare an emergency.

- **Sponsors:** Senator Michael Diedrich and Representative David Johnson
- **What the bill does:** This bill started as a Rapid City and Sioux Falls bill that would have appropriated \$2.5 million to each city through the South Dakota Housing Authority. Not long after the bill dropped, problems arose when smaller economic development groups wanted to join the bill. A number of proposed amendments were added through those discussions and with agreement from all of the economic development entities, the bill was amended to \$60 million.
- **Legislative action:** State Affairs passed the bill with a vote of 9/0 and the Committee on Appropriations tabled the bill with a vote of 11/7. After the demise of SB 155, HB 1167 was hoghoused to become the new workforce housing bill. The bill passed the Senate Committee on Appropriations 8/0 but died in the Senate with a vote of 35/0.
- **Status:** Dead
- **Position:** Actively supported

HB 1167: An Act to make an appropriation to improve South Dakota and to declare an emergency.

- **Sponsors:** Representative Chris Karr
- **What the bill does:** This was a vehicle bill that became a fallback for the workforce housing bill, SB 155.
- **Legislative action:** The bill passed through the House with a vote of 50/16 as a vehicle bill. It was amended in Senate Committee on Appropriations and passed with an 8/0 vote, but was tabled in the Senate with a vote of 35/0.
- **Status:** Dead
- **Position:** Actively supported

ECONOMIC DEVELOPMENT

The Chamber supports economic development and the Building South Dakota Fund along with the Governor's legislation passed in 2018 that simplified the funding mechanism. The Chamber supports workforce focused programs, addressing infrastructure and revolving fund loans, workforce education and housing, and grants to offset certain taxes for qualifying projects. We will continue to monitor the use and impact of these programs and we will closely analyze any legislation that impacts these programs and other economic development efforts in our state.

SB 162: An Act to appropriate funds for airport route restoration, business development, and air service marketing and to declare an emergency.

- **Sponsors:** Senator Blake Curd and Representative Greg Jamison
- **What the bill does:** This bill seeks to appropriate \$1.9 million each for Sioux Falls and Rapid City airports for route restoration and recruitment. In addition, it appropriates \$200,000 each for the essential air service airports of Aberdeen, Pierre and Watertown for marketing.
- **Legislative action:** The Senate passed the bill as amended with a vote of 34/1 and the House passed the bill as amended 47/21.
- **Status:** Signed by the Governor
- **Position:** Actively supported

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

- **Sponsor:** Senator Larry Zikmund
- **What the bill does:** This bill creates within the state treasury the South Dakota State Veterans Cemetery operating fund, into which shall be deposited disbursements from the endowment fund created in § 33A-5-12, donations to the cemetery, and revenues generated by the South Dakota State Veterans Cemetery. The Department of Veterans Affairs may promulgate rules pursuant to chapter 1-26 to establish a fee for burial of an eligible spouse or dependent at the South Dakota State Veterans Cemetery. The fee may not exceed the United States Department of Veterans Affairs maximum plot allowance for a non-service-connected death of a veteran.
- **Legislative action:** The Senate passed the bill as amended with a vote of 35/0 and the House passed the bill with further amendments with a vote of 68/0. The bill was sent to conference committee, but the Senate did not concur with the House changes to the bill in the first round. With further changes and agreement, both the Senate and the House adopted the conference committee report with a vote of 35/0 and 69/0 respectively.
- **Status:** Signed by the Governor
- **Position:** Actively supported

SB 185: An Act to make an appropriation to provide for an economic development in South Dakota and to declare an emergency.

- **Sponsors:** Senator Jack Kolbeck and Representative Kent Peterson
- **What the bill does:** This bill sought to appropriate the sum of \$15 million to the Governor's Office of Economic Development, for purposes of making grants to any industrial development corporation that is going to make infrastructure improvements in industrial parks in Sioux Falls. The bill was later hoghoused to appropriate \$7.5 million to Southeast Technical College to buy a portion of the New Tech High and renovate that facility and others to increase their program capacity.
- **Legislative action:** The bill was amended in Commerce and Energy Committee to strike the name Sioux Falls and insert the name South Dakota. The amended bill passed Joint Appropriations 9/0. The bill was hoghoused in the Committee on Appropriations with a vote of 9/0. Final action on the bill occurred later in Committee on Appropriations where it was tabled with a vote of 12/6.
- **Status:** Dead
- **Position:** Actively supported both the original bill and the hoghoused bill. Later in session the Southeast Tech concept was revived in HB 1267, which was hoghoused. Details of HB 1267 is noted under the Education section on page 14.

SB 181: An Act to make an appropriation for road improvements leading to the State Veterans Cemetery and to declare an emergency.

- **Sponsors:** Senator Stalzer and Representative Goodwin
- **What the bill does:** This bill seeks to appropriate from the general fund the sum of \$1.5 million to the Department of Veterans Affairs for purposes of making improvements to Slip Up Creek Road and 477th Avenue, from the intersection of Slip Up Creek Road and 476th Avenue to the entrance of the South Dakota State Veterans Cemetery on 477th Avenue in Minnehaha County.
- **Legislative action:** The Senate passed the bill as amended with a vote of 35/0 and the House passed the bill as amended 58/0.
- **Status:** Signed by the Governor
- **Position:** Actively supported

HB 1017: An Act to revise the appropriation for the construction of a cold storage building located in Sioux Falls and to declare an emergency.

- **Sponsors:** The Committee on Appropriations at the request of the Department of the Military
- **What the bill does:** This bill seeks to appropriate the sum of \$750,000 to the Department of the Military to construct the facilities.
- **Legislative action:** The House passed the bill as amended with a vote of 68/0 and the Senate passed the bill as amended 35/0.
- **Status:** Signed by the Governor
- **Position:** Supported

HB 1018: An Act to authorize the construction of a National Guard Readiness Center in Sioux Falls, to make an appropriation therefor, and to declare an emergency.

- **Sponsors:** The Committee on Appropriations at the request of the Department of the Military
- **What the bill does:** This bill seeks to appropriate the sum of \$500,000 in general funds and the sum of \$15 million in federal funds to provide for the expenditure authority to the Department of the Military, for purposes of design and construction of a National Guard Readiness Center in Sioux Falls.
- **Legislative action:** The House passed the bill as amended with a vote of 67/0 and the Senate passed the bill as amended 34/0.
- **Status:** Signed by the Governor
- **Position:** Supported

CANNABIS

The Chamber supports efforts by the legislature and regulatory bodies to craft regulations and procedures that take into consideration and give weight to local ownership and control when awarding licenses for cultivation, production, distribution and sales of cannabis.

HB 1061: An Act to prohibit smoking and consuming marijuana and its derivatives in a motor vehicle and create a penalty therefor.

- **Sponsors:** Representative Mary Fitzgerald and Senator John Wiik
- **What the bill does:** This bill applies to a motor vehicle located upon a public highway or the right-of-way of a public highway, if any person occupying, operating or in actual physical control of a motor vehicle smokes marijuana or marijuana concentrate while the vehicle is being operated. For purposes of this law, marijuana concentrate is the resin extracted from any part of a marijuana plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin.
- **Legislative Action:** The bill was passed in the House 61/6 and passed the Senate 31/3.
- **Status:** Signed by the Governor
- **Position:** Supported

TRANSPORTATION INFRASTRUCTURE

The Chamber recognizes that a safe, efficient and responsive transportation infrastructure is critical to economic development and commerce in Sioux Falls and throughout South Dakota. The Chamber supports the evaluation of our highway and bridge systems on an ongoing basis. Funding, including local flexibilities, should be carefully reviewed before new funding is considered. We encourage local county effort for match funding prior to seeking state funds for the 96th legislative session.

HB 1053: An Act to establish an annual fee for certain electric motor vehicles.

- **Sponsors:** Representative Mark Willadsen and Senator Mary Duvall

- **What the bill does:** This bill requires electric cars to pay an annual fee of \$50 that will be used to help fund highways when the vehicle is registered and renewed yearly. South Dakota's highways and roads are primarily funded through a gas tax. This bill seeks to create a highway funding source for vehicles that drive on South Dakota highways and roads but does not pay a gas tax.
- **Legislative action:** The bill passed the House with a vote of 51/18 and passed the Senate with a vote of 29/6.
- **Status:** Signed by the Governor
- **Position:** Supported

HB 1043: An Act to revise property tax levies for school districts and to revise the state aid to general and special education formulas.

- **Sponsor:** The Committee on Appropriations at the request of the Bureau of Finance and Management.
- **What the bill does:** The bill revises property taxes for the ensuring year in three ways:

General Education Property Tax Levies:

	Ag	Owner Occupied	Commercial/ Other
2020 pay 2021	1.443	3.229	6.682
2021 pay 2022	1.409	3.153	6.525
Change from pay 2021	(0.034)	(0.076)	(0.157)

Special Education Property Tax Levies:

	Ag	Owner Occupied	Commercial/ Other
2020 pay 2021	1.484	1.484	1.484
2021 pay 2022	1.470	1.470	1.470
Change from pay 2021	(0.014)	(0.014)	(0.014)

- **Legislative action:** The bill passed the House 66/3 and the Senate 34/0.
- **Status:** Signed by the Governor
- **Position:** Supported

DIVERSITY AND INCLUSIVITY

The Chamber recognizes the growing diversity of our state's population and we embrace the opportunities that this diversity provides for a culture- and talent-rich community. We will work with residents, our partners, community and state agencies and elected officials to develop efforts to engage and include all individuals in our state who seek to work side-by-side with us to grow our economy. As we work to meet the workforce expectations evident today and predicted well into the future, legal immigration and refugee resettlement are proven and important strategies. We will also resist initiatives which inappropriately sanction or discriminate against individuals or groups.

HB 1076: An Act to require that birth certificates reflect biological sex.

- **Sponsors:** Representative Fred Deutsch and Senator John Wiik
- **What the bill does:** The bill sought to require a birth certificate to reflect the sex of the individual at birth with an exception that the birth certificate could be amended within one year of the original filing. The legislative intent went further to claim that the state's interest in recordkeeping is paramount and that persons whose gender identity does not conform to historical norms is not to be a consideration. This claim was made in spite of the widely accepted understanding that the number of instances the bill sought

to address is extremely small, therefore posing a negligible effect on the reliability of public birth records. Simply put, had the bill become law, it would discriminate against a very small group of South Dakotans whose gender expression may not align with the views of the bill sponsors and a group of like-minded legislators, under the guise of some contrived government interest in maintaining accurate records.

- **Legislative action:** The bill passed the House with a vote of 39/31 but died in Senate Health and Human Services 6/0.
- **Status:** Dead
- **Position:** Actively opposed

■ **HB 1217: An Act to promote continued fairness in women's sports.**

- **Sponsors:** Representative Rhonda Milstead and Senator Margaret Sutton
- **What the bill does:** The bill sought to provide fairness in women's sports, but the language of the bill went much further. The bill would require all females, both transgender females and cisgender females, to register for their sport with a statement that they had not taken any performance enhancing drugs for the prior 12 months. If the individual had taken any performance enhancing drugs, they would not be qualified to play and could be prohibited from playing that sport for up to one year.

Section two of the bill did not define the term performance enhancing drugs. Because the terms were not defined section two would prohibit both transgender females and cisgender females from playing sports. Performance enhancing drugs provides a wide spectrum of options for an athlete. For example, over the counter cold medicines, sports performance drinks and work-out supplement and other related performance aid would all be included in the term 'performance enhancing drugs.' In essence, HB 1217 cast a net so wide that it would have banned any female athlete from playing sports.

- **Legislative action:** The bill passed the House with a vote of 50/17 and passed the Senate 20/15. Governor Noem issued a style and form veto of HB 1217. The House voted to override the veto 67/2 and sent the bill back to Governor Noem. Then the Governor sent the bill back for their consideration as required by the Constitution. The House failed to override the veto with a vote of 45/4.
- **Status:** Dead
- **Position:** Actively opposed

■ **SB 71: An Act to designate Juneteenth as a working holiday.**

- **Sponsors:** Senator Jim Bolin and Representative Fred Deutsch
- **What the bill does:** The bill sought to require Juneteenth to be a working holiday in South Dakota. Juneteenth is recognized because on June 19, 1865, the slaves in Texas, a geographically remote region of the confederacy, were officially informed by units of the United States military that the Civil War was over, that slavery in the United States had been abolished, and that the slaves were now free persons.
- **Legislative action:** The bill passed the Senate with a vote of 26/8 but died in House with a vote of 31/36.
- **Status:** Dead
- **Position:** Actively supported

HEALTH CARE

The Chamber recognizes the role the non-profit community plays in providing essential services to our most vulnerable citizens and supports appropriate funding for them. We strongly encourage the state's reimbursement rates to align with providers true costs associated with those essential services.

The Chamber acknowledges the important role of its medical institutions, especially in the current pandemic, and will give additional weight to their recommendations for public health safety.

HB 1021: An Act to make an appropriation to reimburse certain health care professionals who have complied with the requirements for certain health care recruitment assistance programs and to declare an emergency.

- **Sponsors:** The Committee on Appropriations at the request of the Department of Health.
- **What the bill does:** The bill seeks to reimburse medical professionals who practice in rural areas of South Dakota.
- **Legislative action:** The bill passed the House with a vote of 66/0 and passed the Senate 34/0.
- **Status:** Signed by the Governor
- **Position:** Supported

HB 1159: An Act to prohibit interference with the right to bodily integrity in contagious disease control.

- **Sponsor:** Senator Phil Jensen
- **What the bill does:** The bill sought to codify an individual right of refusing to accept any medical intervention, including any vaccination that may be required by an employer. The bill would have protected those employees who may be subjected to discrimination or retaliation with respect to association, education, employment, housing, property rights, public accommodations, or public services for refusing to be vaccinated. Both federal and state law provide discrimination laws now, this bill would have created a new cause of action against employers should it have passed, including employers who work in the field of health care. The bill also precluded an employer from taking steps to screen any person entering the workplace, to determine whether the person had an infectious, contagious or possibly contagious disease, if the screening is job-related and consistent with business necessity.
- **Legislative action:** The bill died in Health and Human Service 9/3.
- **Status:** Dead
- **Position:** Actively opposed

SB 2: An Act to require provide for philosophical exceptions to required vaccinations.

- **Sponsors:** Representative Tom Pischke and Representative Phil Jensen
- **What the bill does:** The bill sought to broaden the exemptions for admission to schools for students who are not immunized. Current law requires any child entering school or an early childhood program in South Dakota to receive certain vaccinations, except those who adhere to a religious doctrine whose teachings are opposed to such immunization or if the immunization would endanger the child's life or health. SB 2 added an exception of a sincerely held religious or philosophical belief.
- **Legislative action:** The bill died in House and Human Services with a vote of 7/6.
- **Status:** Dead
- **Position:** Opposed

SB 186: An Act to make an appropriation for behavioral and mental health service support in crisis stabilization and to declare an emergency.

- **Sponsors:** Senator Blake Curd and Representative Linda Duba
- **What the bill does:** This bill sought to appropriate the sum of \$3 million to the Department of Social Services, for purposes of providing grants to the City of Sioux Falls to support behavioral and mental health services in crisis stabilization.
- **Legislative action:** Senate passed the bill with a vote of 34/1 and passed the House with a vote of 59/10.
- **Status:** Signed by the Governor
- **Position:** Actively supported

AGRIBUSINESS INDUSTRY

Agriculture has been the primary economic driver in our state since 1889. The Chamber supports legislation that enhances agri-business in South Dakota, including the expansion of agricultural products, services and technologies.

HB 1040: An Act to make an appropriation to fund certain small meat processor grants and to declare an emergency.

- **Sponsor:** The Committee on Appropriations at the request of the Department of Agriculture.
- **What the bill does:** The bill appropriated the sum of \$5 million to the Department of Agriculture, for purposes of providing grants to small meat processors in South Dakota.
- **Legislative action:** The House tabled the bill because the Department of Agriculture could offer the grants without authorization from the legislature. The program can be accessed through this web link on the Department of Ag's web page: <https://sdda.sd.gov/office-of-the-secretary/meatprocessinggrant.aspx>
- **Status:** Dead
- **Position:** Supported

ENVIRONMENT

The Greater Sioux Falls Chamber of Commerce places a high priority on safeguarding and conserving both the quality and quantity of our area's natural amenities. Government, in partnership with business, should share responsibility in conserving, enhancing and protecting our water quality, air quality and land. Landowners and sportsmen should work together to ease conflicts in land access and game management issues, to preserve the economic and quality of life benefits from outdoor recreation. Given the substantial public and private investments to develop the river greenway, and the potential to develop a first-class amenity in our community, strategies seeking to improve the water quality in the Big Sioux and its tributaries should be identified and implemented.

HB 1042: An Act to revise certain provisions regarding riparian buffer strips.

- **Sponsor:** The Committee on Agriculture and Natural Resources at the request of the Department of Environment and Natural Resources.
- **What the bill does:** This bill seeks to further incentivize a state water conservation program for landowners by removing some of the red tape to apply for the program and by and lengthening the reduction of property taxes from one year to ten years. Riparian areas are the narrow strips of land adjacent to streams, rivers, lakes, ponds and wetlands. They are characterized by plant species that are adapted to a wetter environment than plant species that dominate drier, upland environments. In South Dakota, landowners have the opportunity to create a riparian buffer strip that adheres to a minimum of fifty feet in width along an eligible river, stream or lake, and extends up to a maximum of one hundred twenty feet in width along an eligible river, stream or lake.
- **Legislative action:** The House passed the bill with a vote of 69/0 and the Senate voted to pass the bill with a vote of 35/0.
- **Status:** Signed by the Governor
- **Position:** Actively supported

HB 1256: An Act to make an appropriation for the cleanup of the Big Sioux watershed and River and to declare an emergency.

- **Sponsors:** Representative Chris Karr and Senator Scott Odenbach
- **What the bill does:** The bill appropriated the sum of \$3 million to the Department of Environment and Natural Resources, for purposes of the cleanup and restoration of the Big Sioux River and watershed.
- **Legislative action:** The House passed the bill with a vote of 61/7 and the Senate passed the bill with a vote of 29/6.
- **Status:** Signed by the Governor
- **Position:** Actively supported

INITIATIVE AND REFERENDUM

The Chamber believes that South Dakota's longstanding tradition of allowing direct citizen access to the ballot through the initiative and referendum processes should remain. However, South Dakota finds itself in the position of allowing very broad access and relatively low signature requirements making our state an easy target for special interests who want to test issues. We would encourage an ongoing review of the rules and requirements surrounding constitutional and statutory ballot measures and support changes that address problems while preserving our tradition of access.

HJR 5003: Proposing and submitting to the voters at the next primary election a new section to Article XI of the Constitution of the State of South Dakota, relating to a three-fifths vote requirement for certain initiated or Legislature-proposed constitutional amendments and initiated or Legislature-referred measures.

- **Sponsors:** Representative Jon Hansen and Senator Lee Schoenbeck
- **What the bill does:** The joint resolution sought to raise the vote to approve a constitutional amendment for fee and tax increases to 60% (3/5th) and sets a 60% voter threshold for programs that spend \$10 million dollars or more in the first five years.

The original version of the resolution sought to place a ballot measure to be considered by South Dakota registered voters on the June 2022 primary election ballot rather than the general election in November of 2022. In addition, perhaps an oversight, HJR did not include legislative proposed constitutional amendments and referred measures in the joint resolution. After discussions with concerned groups, including the Greater Sioux Falls Chamber of Commerce, the joint resolution was amended to move the vote to the general election and to add legislative language for consistency. However, the bill was changed in the Senate to move the vote back to the June primary rather than the general election.

Although the Chamber did not take a position on raising the vote threshold proposed in the joint resolution, we did express concerns about the historically low voter turn-out numbers in primary elections. The Chamber supports South Dakota's longstanding tradition of direct citizen access to the ballot through the initiative and referendum processes. General election voter turnout is often more than double the voter turnout in primaries. A vote as significant as changing the South Dakota Constitution should be considered by all South Dakotans and the general election best serves that purpose.

- **Legislative action:** The House passed the amended resolution with a vote of 56/12 and the Senate suspended the rules with a two-thirds vote and moved the vote from the 2022 general election back to the June primary of 2022 and passed the bill with a vote of 18/17. The House concurred with the election date change with a vote of 51/17.
- **Status:** Signed by the Governor
- **Position:** Opposed moving the election to back to the primary rather than the general election.

SB 123: An Act to require a comment period for the attorney general's statement regarding initiated measures and initiated amendments.

- **Sponsors:** Senator Michael Diedrich and Representative Greg Jamison
- **What the bill does:** The bill sought to create a ten-day period added onto the current time of signature gatherers. The process would begin with the attorney general filing the draft statement with the secretary of state, post the draft statement on the attorney general's website, and issue a press release announcing a draft statement has been posted for comment within sixty days of receipt of the proposed initiated measure or initiated amendment to the Constitution. The attorney general shall accept comments for ten days from the date the draft statement was filed. The attorney general shall review all comments submitted and revise the statement in response to the comments as deemed necessary.
- **Legislative action:** The House passed the bill with a vote of 65/3 and the Senate passed the bill with a vote of 34/0.
- **Status:** Signed by the Governor
- **Position:** Supported

THE STATE BUDGET

The Chamber supports a balanced budget even if it means difficult decisions. Changing some sales tax exemptions may provide additional revenue, but each one must be carefully considered. We continue to see no need for an income tax or major tax increases.

THE GENERAL APPROPRIATIONS BILLS

The FY 2021 General Appropriations Bill

SB 64: An Act to revise the General Appropriations Act for fiscal year 2021.

- **Sponsors:** The Committee on Appropriations at the request of the Bureau of Finance and Management.
- **What the bill does:** SB 64 provides the following appropriations funding:
 - BOR Federal Fund Expenditure Authority
 - This amendment includes an increase of \$25,988,087 in federal fund expenditure authority.
 - BOR received additional Higher Education Emergency Relief Funds (HEERF II) through the Coronavirus Response and Relief Supplemental Appropriation (CRRSA).
 - DSS Federal Fund Expenditure Authority
 - This amendment includes an increase of \$25.8 million in federal fund expenditure authority.
 - DSS received this additional funding through the Coronavirus Response and Relief Supplemental Appropriation (CRRSA).
 - These funds will provide direct support to families, direct support to providers, and modernizing information systems to provide for more efficient service delivery and licensing processes.
 - Funds must be obligated by September 2022 and expended by September 2023.
 - DOE Federal Fund Expenditure Authority
 - This amendment includes an increase of \$183,737,821 in federal fund expenditure authority.
 - This includes federal COVID stimulus funding for the following grants:
 - ◇ Elementary and Secondary School Emergency Relief Fund (ESSER II) = \$170,099,465
 - ◆ LEA Formula Allocation: The formula allocation is based on the proportion of Title I Part A funds each LEA was allocated in FY 2020-21.
 - ◆ Note that ESSER 2 funds must be budgeted and tracked separately from the ESSER 1 funds.
 - ◆ Have until September 30, 2023 to spend.
 - ◆ Uses of funds: Same as ESSER I Fund (CARES Act) – Allowable uses of funds related to preventing, preparing for, and responding to COVID-19. Allowable uses also include addressing learning loss, preparing schools for reopening, and testing, repairing, and upgrading projects to improve air quality in school buildings).
 - Governor's Emergency Education Fund (GEER II) = \$3,503,286
 - Have until Sept. 30, 2023 to spend.
 - Governor must award the funds within one year of receiving them (January 2022).
 - Uses of funds: Same as GEER I Fund (CARES Act) – Allowable uses of funds related to preventing, preparing for, and responding to COVID-19. Governors may provide subgrants to LEAs and IHEs within their jurisdiction that have been “most significantly impacted by coronavirus” to support their ability to continue providing educational services to their students and to support the “on-go-

ing functionality” of these entities. In addition, a Governor may use these funds to provide support through a subgrant or a contract to other LEAs, IHEs, and education-related entities that the Governor “deems essential” for carrying out emergency educational services, providing child care and early childhood education, providing social and emotional support, and protecting education related jobs.

- Emergency Assistance for Non-Public Schools (EANS) = \$7,773,070
 - Have until Sept. 30, 2023 to spend.
 - Under the Emergency Assistance for Non-Public Schools (EANS) program, the funds can be used to provide services or assistance to eligible non-public schools to address the impact has had, and continues to have, on non-public school students and teachers in the State.
 - In the first round of GEER/ESSER, there was a U.S. Federal Court decision that overturned the Secretary of the U.S. Dept. of Education’s decision on Equitable Services for non-public schools. The Court ruled Education Secretary Betsy DeVos’ effort to boost the amount of emergency pandemic relief that flows to private school students is illegal and struck down the policy. Judge Dabney Friedrich ruled that DeVos lacked the authority to add her own conditions on the \$13 billion that Congress set aside for K-12 schools in the CARES Act. The restrictions applied to another \$3 billion pot of money in the law controlled by governors, to the extent they chose to spend it on K-12 schools.
 - The CRRSA Act included the separate EANS program within GEER so eligible non- public schools can apply for funding through DOE. Because the CRRSA Act establishes the EANS program, LEAs are not required to provide equitable services under ESSER II.
- Child Nutrition Programs: Emergency Operating Costs During COVID-19 = \$2.2 million – have until Sept. 30, 2021 to spend.
 - The Consolidated Appropriations Act, 2021, the Food and Nutrition Service (FNS) is offering additional funds to state agencies administering the National School Lunch Program (NSLP), School Breakfast Program (SBP), and the Child and Adult Care Food Program (CACFP) to provide local operators of those programs with additional reimbursements for emergency operating costs they incurred during the public health emergency.
 - These reimbursement options provide additional funding for local child nutrition program operators whose revenues declined or were temporarily interrupted during the early months of the pandemic due to COVID-19 related restrictions and closures. The relief provided by these reimbursements is intended to help address such shortfalls and ensure that program operators are in the best position to rebuild while continuing to serve their communities.
 - Upon receipt of reimbursement funds, DOE will disburse formula-calculated payments to eligible program operators based on an implementation plan submitted by the DOE, which is subject to approval by FNS.
- TEFAP: CRRSA = \$100,000
 - Have until Sept. 30, 2021 to spend.
 - These are administrative funds to support the storage and distribution of USDA Foods to the local food banks. These are NOT administrative funds that DOE utilizes for PS or support of DOE, but these funds are to support the local food banks.
- Pandemic EBT = \$62,000 – Interagency Agreement w/ DSS for PS = \$62,000
 - The interagency agreement is for DOE to gather student information on who would qualify for EBT. This would be utilized for DOE staff and time.
- DOH Federal Fund Expenditure Authority
 - This amendment includes an increase of \$59,759,191 in federal fund expenditure authority.

- The President signed the Consolidated Appropriations Act in December 2020. This bill included numerous grants that the SD DOH received.
- \$50.9 million in the Epidemiology and Laboratory Capacity Enhanced Detection Expansion
 - ◇ These resources are intended to prevent, prepare for and respond to coronavirus by supporting testing, case investigation, contact tracing, surveillance, containment and mitigation. These may include activities to support workforce, epidemiology, use by employers, elementary and secondary schools, child care facilities, institutions of higher ed, long-term care facilities, or scale up of testing by public health, academic, commercial, hospital labs, and community-based testing sites, mobile testing units, etc.
 - ◇ This covers activities until July 31, 2023.
- \$7.9 million in COVID-19 Vaccine Preparedness Grant
 - ◇ This funding is to help South Dakota continue the plan for and implement the COVID-19 vaccine programs. These funds can be spent on expanding existing immunization infrastructure, engaging in additional partnerships, and implementing and evaluating new strategies to reach vaccine hesitant and underserved populations.
 - ◇ This covers activities until June 30, 2024.
- \$515,000 for the Public Health Laboratory Preparedness
 - ◇ Funding to expand statewide laboratory capacity by procurement, maintenance and implementation of new automated and high-throughput laboratory technologies to improve laboratory response activities.
 - ◇ Funds expire Dec. 15, 2021.
- \$200,000 for Traveler's Health
 - ◇ Funds to develop a standard approach for the collection, reporting, and sharing of international traveler-related data with the CDC and among relevant public health networks.
 - ◇ Funds expire Dec. 15, 2021.
- \$131,000 for the AMD Technologies Grant
 - ◇ Funding for labs to perform additional sequencing on the COVID-19 testing and submit samples to the CDC.
 - ◇ Funds expire Dec. 15, 2021.
- DHS Federal Fund Expenditure Authority
 - This amendment includes an increase of \$840,000 in federal fund expenditure authority.
 - The President signed the Consolidated Appropriations Act in December 2020.
 - The funding was distributed from the Administration for Community Living for senior nutrition programs. DHS received an allotment of \$840,000.
 - Funds will be used for equipment grants to nutrition providers to ensure they can prepare and deliver meals. This could include kitchen appliances to prepare food and a van for meal delivery.
 - Any funds not distributed in equipment grants will be utilized for funding meal reimbursement.
 - The allotment must be expended by Sept. 30, 2022.
- **Legislative action:** This bill passed the Senate with a vote of 34/0 and the House with a vote of 58/11.
- **Status:** Signed by the Governor
- **Position:** Supported

The FY 2022 General Appropriations Supplemental Bill

SB 195: 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.

- **Sponsors:** The Committee on Appropriations at the request of the Office of the Governor.
- **What the bill does:** Since the Governor's budget proposal in December, the state saw an uptick in revenue projections. This has allowed the state to invest in areas that are crucial to meeting the current and future needs of South Dakota – education, health care providers and the state employee workforce. This budget is rooted in fiscal discipline and uses one-time money for one-time expenses and ongoing money for ongoing expenses. The major accomplishments funded through this bill include:
 - 2.4% increase for K-12 general and special education.
 - In a year where teachers have been asked to step up and continue educating our students during a pandemic, this 2.4% increase exceeds the 1.5% required by statute.
 - 2.4% increase for technical colleges.
 - 2.4% increase for the state employee workforce.
 - 2.4% increase for all health care providers.
 - Governor Noem is moving community-based providers to 100% of their methodology costs – this has been a goal for five years.
 - Additionally, because community-support providers are currently undergoing their rate methodology review that other providers have completed, the state is providing additional targeted inflation of 9.8% for CSPs.

Provider Inflation Estimates	FY22 Base Inflation	100% Method Inflation	Circuit Breaker	Additional Inflation	Total Inflation
DSS					
Hospitals	2.4%				2.4%
Physicians	2.4%				2.4%
Dentists	2.4%				2.4%
Optometrists/Ophthalmologist	2.4%				2.4%
Chiropractors	2.4%				2.4%
Psychiatric Residential Treatment	2.4%				2.4%
Group Care	2.4%	13.6%			16.0%
In Home Services (RN, Homemaker, LPN)	2.4%	9.9%			12.3%
Community Behavioral Health	2.4%	6.0%			8.4%
Other Provider Groups	2.4%				2.4%
DHS					
Long Term Care	2.4%	6.2%			8.6%
Community Support Providers (CSP)	2.4%	2.2%	0.4%	9.8%	14.8%
In-Home Services (RN, Homemaker, LPN)	2.4%	12.3%			14.7%
Senior Meals	2.4%				2.4%
Other Provider Groups	2.4%				2.4%

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Provider Inflation Estimates	FY22 Base Inflation	100% Method Inflation	Circuit Breaker	Additional Inflation	Total Inflation
DOC					
Correctional Healthcare	2.4%				2.4%
Psychiatric Residential Treatment/Group Care	2.4%	2.8%			5.2%
Community Services	2.4%				2.4%
Group Care	2.4%				2.4%
UJS					
Community Services	2.4%				2.4%
DOH					
Inmate Services	2.4%				2.4%
DPS					
Victim's Services	2.4%				2.4%

- The change in SB 195 over the FY2021 base budget includes:
 - Increase of \$75.3 million in general funds;
 - Increase of \$58.5 million in federal fund expenditure authority;
 - Increase of \$30.2 million in other fund expenditure authority;
 - Increase of \$164.1 million in total funds; and
 - Increase of 26.4 Full Time Equivalents (FTE).
- The State has adopted an ongoing budget for FY2022 of:
 - \$1.8 billion in general funds;
 - \$1.8 billion in federal fund expenditure authority;
 - \$1.4 billion in other fund expenditure authority; and
 - \$5.1 billion in total funds.
- **Legislative action:** This bill passed the Senate with a vote of 34/0 and the House with a vote of 61/8.
- **Status:** Signed by the Governor
- **Position:** Supported

In South Dakota, our system of budgeting works. While the branches of government may have disagreements and varying viewpoints, their goals are aligned – to meet the needs of the people of South Dakota. Our state can be proud of the hard work the Governor and the Legislature commit to every year to balance the budget.

LOOKING AHEAD TO 2022

South Dakota has yet to fully understand the impact of COVID-19 on our economy, business communities and families. However, our priorities are focused on keeping our business community connected to all available federal and state programs, so our members' doors remain open while keeping our residents safe.

The Chamber will continue to be vigilant and employ innovation on behalf of our business community through the challenge of COVID-19 and the continued appropriation of those finite federal dollars to ensure our business climate and agribusiness climate remains healthy and strong.

CONCLUSION

The 96th Legislative Session is behind us, and the greater Sioux Falls business community was well represented both by elected officials and your team at the Chamber.

The Chamber's advocacy work, on behalf of our members, is based on a simple premise – what happens in the State Capitol impacts our membership and to leave it to fate or in the hands of others is far too risky. Lobbyists in Pierre have a saying, “if you don't have a seat at the table, you might just be the main course.”

Your Chamber is your voice for business in the Capitol.

In closing, we extend a hearty thank you to Governor Kristi Noem, her team and to all our elected officials who serve our state. We appreciate their leadership and dedication.

As we look ahead to the Legislative Interim Studies and the Special Session this fall for the purpose of redistricting the legislative districts to align with the decennial census results, we understand Governor Noem's leadership will continue to move our state forward even with the challenges of COVID-19. Moreover, we know the 97th Legislative Session will convene next January, and this grand South Dakota tradition will continue.



APPENDIX 1

2021 CHAMBER PLATFORM

In order to develop its legislative platform, the Greater Sioux Falls Chamber of Commerce (Chamber), through its Issues Management Council, conducts research, hears presentations and surveys its members about issues affecting business. These efforts, combined with actively following and monitoring legislative activity, guide our efforts toward developing the legislative platform. The Issues Management Council makes platform recommendations to the Board of Directors who is the final policy decision making body for the Chamber.

ECONOMIC DEVELOPMENT

The Chamber supports economic development and the Building South Dakota Fund along with the Governor's legislation passed in 2018 that simplified the funding mechanism. The Chamber supports workforce focused programs, addressing infrastructure and revolving fund loans, workforce education and housing, and grants to offset certain taxes for qualifying projects. We will continue to monitor the use and impact of these programs and we will closely analyze any legislation that impacts these programs and other economic development efforts in our state.

TAX INCREMENT FINANCING

South Dakota has limited programs, when compared to other states, to help compete for and leverage business growth and development. One such program that is locally controlled and administered is tax increment financing (TIF) which can be vital to a project happening, re-locating or moving forward in South Dakota. The Chamber supports the appropriate use of TIFs for projects when it is needed to address blight, build infrastructure, encourage workforce housing expansion, promote economic development and/or make public improvements. Further, we support local decision-making in the administration of TIFs.

TRANSPORTATION INFRASTRUCTURE

The Chamber recognizes that a safe, efficient and responsive transportation infrastructure is critical to economic development and commerce in Sioux Falls and throughout South Dakota. The Chamber supports the evaluation of our highway and bridge systems on an ongoing basis. Funding, including local flexibilities, should be carefully reviewed before new funding is considered. We encourage local county effort for match funding prior to seeking state funds for the 96th legislative session.

BUSINESS CLIMATE

The Chamber believes our economy is best served by allowing free and open competition in the marketplace in an environment that encourages business development and expansion. Laws that preclude or give advantage to one business structure or arrangement over another ultimately lessen competition and reduce our area's attractiveness as a business location. Barriers to business investment and capital formation impede growth and economic diversification. Appropriate rules and regulations may be required for a viable free market, but government intrusion should not inhibit or restrict business unnecessarily.

The Chamber opposes unnecessary intrusions into employer/employee relationships. We support voluntary agreements between management and the workforce establishing compensation, benefits, hours and working conditions.

WORKFORCE HOUSING

The Chamber supports expanding workforce housing for workforce development, retention and recruitment that is accessible for low and moderate income individuals.

DRIVERS LICENSE EXAMS

The Chamber believes a component of workforce development is ensuring employees are able to get to work. With an increasingly diverse population, the Chamber supports legislation to examine or implement drivers' license testing in languages other than English and Spanish. South Dakota should consider implementing additional multi-language tests to strengthen our workforce development efforts.

THE STATE BUDGET

The Chamber supports a balanced budget even if it means difficult decisions. Balancing the budget can be done in many ways and the Chamber supports creative solutions in addressing this issue. We continue to see no need for an income tax or major tax increases.

EDUCATION AND WORKFORCE DEVELOPMENT

The future of Sioux Falls and South Dakota depends on educating our citizens and developing our workforce to remain competitive on a regional, national and international scale. It is vital to foster an educational system that works in tandem with the business community and government to address and support workforce development initiatives. Quality education is essential for the business community to attract new employers and employees and to educate a growingly diverse workforce.

To support our state's citizens and to meet our workforce development needs, the Chamber supports the allocation of public monies to ensure funds for an equitable, effective and efficient system of pre-K-12, technical schools and higher education.

Pre-K: The Chamber encourages and supports funding for Pre-K education for all children in South Dakota, including a state-wide study related to Pre-K.

K-12 Funding: The Chamber supports efforts to maintain and increase teacher pay and would oppose efforts to rollback past funding levels. Further, we encourage the School Finance Accountability Board and the Legislature to ensure that in the future school districts are held accountable for meeting teacher pay and cash balance targets. We will follow all proposals affecting K-12 funding closely and consider the impact on our members and area schools. We support the findings of the 2018 Teacher Compensation Review Board and allowing the current five-year plan within the formula to be completed prior to the consideration of additional changes to the formula.

K-12 Efficiency: The Chamber fully understands the challenges of operating a K-12 system in a largely rural state that is sparsely populated. For their well-being and the well-being of our state, children throughout South Dakota must be assured a quality education as our Constitution outlines. Still, we encourage organizational changes to improve efficiency and permit reinvestment into core priorities like teacher salaries and educational programming. We recognize that some districts that are sparsely populated need additional resources per student to ensure a quality education. However, some districts choose to remain small and additional financial subsidies in those instances should be critically reviewed. We encourage the use of technology-based instruction to enhance access to master teachers and course topics that are not available in our smaller districts. We discourage school districts from utilizing recruitment and busing to lure and transport students from one district to another. If at all possible, school districts should not be financially incented to recruit students. In short, efficiency and organizational decisions need to be made to reflect changing demographics and to meet the needs of our K-12 learners.

Technical Colleges: As demand for a technically skilled workforce continues to grow, South Dakota's technical colleges require the ability to respond programmatically to that demand and the funding for workforce-related programs. Costs continue to rise particularly in regard to serving students in high-cost program areas. The Chamber urges tuition costs for students be lowered to be competitive with surrounding states. The Chamber supports increased investment in the workforce of tomorrow, which is critical for continued economic development. The Chamber also supports continuing progress to enhance local control of our state's technical institutes to ensure they best serve South Dakota.

Higher Education: The Chamber acknowledges that a highly educated populace is critically important to many individual businesses and to competitively position our community for future economic development. In order to retain our students, the Chamber encourages the expansion of scholarship funding. This includes, but is not limited to, need-based scholarships along with the Build Dakota Scholarship and South Dakota Opportunity Scholarship. We support adequate funding for the Regental system and encourage consideration for funding options for the USD Community College for Sioux Falls to address tuition and service inequalities and new mission opportunities. Further, we encourage more local governance and input into the Community College to better align its programs with the needs of residents and the business community.

LOCAL GOVERNMENT

County Funding: The Chamber is concerned about resources available to counties to address behavioral and mental health, criminal justice costs, and infrastructure needs. We believe alignment with collaborative partnerships and improved funding will benefit the counties.

City Sales Tax for Infrastructure: The Chamber has consistently supported a proposal to permit municipalities to impose a sales tax for infrastructure purposes, provided there is an affirmative vote of the municipality's residents and the tax is tied to specific projects for a set period of time. We believe this type of local control proposal is the best way to determine the need for such a tax and measure the willingness of local citizens to impose a tax in their community.

HEALTH CARE

The Chamber recognizes the role the non-profit community plays in providing essential services to our most vulnerable citizens and supports appropriate funding for them. We strongly encourage the state's reimbursement rates to align with providers true costs associated with those essential services.

The Chamber acknowledges the important role of its medical institutions, especially in the current pandemic, and will give additional weight to their recommendations for public health safety.

DIVERSITY AND INCLUSIVITY

The Chamber recognizes the growing diversity of our state's population and we embrace the opportunities that this diversity provides for a culturally and talent-rich community. We will work with residents, our partners, community and state agencies and elected officials to develop efforts to engage and include all individuals in our state who seek to work side-by-side with us to grow our economy. As we work to meet the workforce expectations evident today and predicted well into the future, legal immigration and refugee resettlement are proven and important strategies. We will also resist initiatives which inappropriately sanction or discriminate against individuals or groups.

PROPERTY AND BUSINESS OWNER RIGHTS

Each sessions legislation is introduced that put business and property owners at odds with gun advocates. The Chamber supports the right to gun ownership and the traditions of hunting and outdoor life so prominent in South Dakota. However, we have also maintained that property and business owners have the right to restrict gun possession on their property if they choose. The Chamber will continue to support the rights of property and business owners to restrict gun possession on their property.

TOURISM/VISITOR INDUSTRY

The Chamber supports funding mechanisms for the visitor/tourism industry as it continues to be an important and vital part of greater Sioux Falls and the South Dakota economy. Funding mechanisms include, but are not limited to, the Business Improvement District (BID) tax and the tourism tax.

INITIATIVE AND REFERENDUM

The Chamber believes that South Dakota's longstanding tradition of allowing direct citizen access to the ballot through the initiative and referendum processes should remain. However, South Dakota finds itself in the position of allowing very broad access and relatively low signature requirements making our state an easy target for special interests who want to test issues. We would encourage an ongoing review of the rules and requirements surrounding constitutional and statutory ballot measures and support changes that address problems while preserving our tradition of access.

AGRIBUSINESS INDUSTRY

Agriculture has been the primary economic driver in our state since 1889. The Chamber supports legislation that enhances agribusiness in South Dakota, including the expansion of agricultural products, services, and technologies.

SPORTS WAGERING

The Chamber supports efforts by the legislature to permit the origin of sports gaming to occur within physical establishments located throughout the state which establishments shall be licensed to perform such activities through a process similar to that of video lottery.

CANNABIS

The Chamber supports efforts by the legislature and regulatory bodies to craft regulations and procedures that take into consideration and give weight to local ownership and control when awarding licenses for cultivation, production, distribution, and sales of cannabis.

ENVIRONMENT

The Greater Sioux Falls Chamber of Commerce places a high priority on safeguarding and conserving both the quality and quantity of our area's natural amenities. Government, in partnership with business, should share responsibility in conserving, enhancing and protecting our water quality, air quality and land. Landowners and sportsmen should work together to ease conflicts in land access and game management issues, to preserve the economic and quality of life benefits from outdoor recreation. Given the substantial public and private investments to develop the river greenway, and the potential to develop a first-class amenity in our community, strategies seeking to improve the water quality in the Big Sioux and its tributaries should be identified and implemented.

Approved by the Chamber Board: November 18, 2020



APPENDIX 2

2021 CHAMBER POLICY STATEMENTS

Since 1993, policy statements addressing broad issue areas have been endorsed by the Greater Sioux Falls Chamber of Commerce Board of Directors to direct the Chamber's business advocacy efforts. The policy statements are reviewed annually and modified to reflect the issues and context of the day. The Greater Sioux Falls Chamber of Commerce Board of Directors approves the following statements to guide advocacy and community development activities.

QUALITY OF LIFE

The Greater Sioux Falls Chamber of Commerce believes individuals living in the area should be able to enjoy personal security, quality education, first-rate medical care, transportation, adequate and affordable housing, economic opportunity and diverse leisure activities. The business community in Sioux Falls should contribute to the overall quality of life by showing generosity, concern and involvement in the community.

TAXATION

The Greater Sioux Falls Chamber of Commerce supports a fair and reasonable tax system wherein necessary revenue is collected to support essential government services. For taxation purposes agricultural land, non-agricultural commercial property and housing should be valued using equitable and uniform methods in all counties. At the state level, there is no need for a corporate or personal income tax. The Chamber recognizes that a basic level of funding is required to support the necessary services of government. The Chamber understands that inflationary pressures, cost increases and changing conditions may require tax and fee increases, however, the Chamber supports the concept that reorganization of priorities and cutting of spending should be carefully considered for budget shortfalls at all levels of government before tax and fee increases are considered.

DEVELOPMENT INCENTIVES

South Dakota has limited programs, when compared to other states, to help compete for and leverage business growth and development. One such program that is locally controlled and administered is tax increment financing (TIF), which can be vital to a project happening, locating or moving forward in Sioux Falls. The Greater Sioux Falls Chamber of Commerce supports the appropriate use of TIFs for projects when it is needed to address blight, build infrastructure, encourage workforce housing expansion, promote economic development and/or make public improvements. Further, we support local decision-making in the administration of TIFs.

BUSINESS CLIMATE

The Greater Sioux Falls Chamber of Commerce believes our economy is best served by allowing free and open competition in the marketplace in an environment that encourages business development and expansion. Laws that preclude or give advantage to one business structure or arrangement over another ultimately lessen competition and reduce our area's attractiveness as a business location. Barriers to business investment and capital formation impede growth and economic diversification. Appropriate rules and regulations may be required for a viable free market, but government intrusion should not inhibit or restrict business unnecessarily.

The Chamber opposes unnecessary intrusions into employer/employee relationships. We support voluntary agreements between management and the workforce establishing compensation, benefits, hours and working conditions.

EDUCATION

The Greater Sioux Falls Chamber of Commerce advocates a quality education system that provides individuals the chance to reach their own life goals and supports the current and future workforce needs of the community. We support the development of systemic strategies to enable all children to succeed and prepare themselves for work and further study (e.g. Sioux Falls Thrive) and we support strategies to engage, train and educate all residents so they have access to meaningful and rewarding work opportunities. We support efforts to adequately fund effective and efficient systems of pre-kindergarten, K-12, job-skills training and post-secondary institutions, both locally and statewide. The distribution of state aid dollars to local school districts should be equitably based, at least in part, on the number of children served. The Chamber urges continued dialogue regarding and awareness of population growth and diversity in the Sioux Falls area and the effect on regional school districts. It is important to maintain an employment environment for schools that attracts and retains quality employees in education. Individual businesses should engage in cooperative partnerships with schools to expand learning opportunities.

Finally, the Chamber believes that well-designed and appropriately governed and funded post-secondary education opportunities in Sioux Falls are a competitive and strategic imperative for our community and region.

INFRASTRUCTURE

Federal, state and local government should maintain and develop a high-quality infrastructure network. Emphasis must be placed on adequately designing, constructing and maintaining a growth-managed infrastructure (roads, air, rail, water, sewer, public transit and public facilities) which is cost-effective yet provides the highest possible level of service to residential and commercial sectors for greater Sioux Falls. The effort to maintain adequate infrastructure is necessary to sustain current growth trends while retaining a high-quality urban environment.

ENVIRONMENT

The Greater Sioux Falls Chamber of Commerce places a high priority on safeguarding and conserving both the quality and quantity of our area's natural amenities. Government, in partnership with business, should share responsibility in conserving, enhancing and protecting our water quality, air quality and land. Landowners and sportsmen should work together to ease conflicts in land access and game management issues, to preserve the economic and quality of life benefits from outdoor recreation. Given the substantial public and private investments to develop the river greenway, and the potential to develop a first-class amenity in our community, strategies seeking to improve the water quality in the Big Sioux and its tributaries should be identified and implemented.

GOVERNMENT

Local

Greater Sioux Falls should be open to cooperative efforts as well as consolidation efforts among local units of government. Growth in the area provides an opportunity to explore new forms and methods of government to ensure taxpayers receive cost-effective government and quality service delivery.

State

State government in South Dakota should operate in a way that allows for continued balanced budgets without imposing undo tax burdens on state residents and commerce. Every effort should be made to distribute limited state resources in a fair and equitable manner. State directives to local governments should not rely on unfunded mandates.

Federal

The federal government should strive for a balanced budget and deficit reduction.

The federal government should negotiate and administer effective trade agreements with our North American trading partners and trading partners around the world to ensure accessible and viable markets for South Dakota's manufacturers and agriculture producers.

Legislative mandates imposed on state and local governments should be accompanied by the necessary funds to carry out the mandates.

The Greater Sioux Falls Chamber of Commerce supports an alliance and partnership with the U.S. Chamber of Commerce

aimed at reducing unnecessary regulatory burdens on the nation's industries, promoting economic growth and job creation and minimizing the impact of government actions on business, agriculture and the delivery of health care.

To support international business potential, the Chamber will work directly with United States Customs and the Sioux Falls Regional Airport Authority to insure full Customs capability in Sioux Falls.

TOURISM/VISITOR INDUSTRY

The Greater Sioux Falls Chamber of Commerce through Experience Sioux Falls supports private and governmental efforts to enhance and market the full visitor industry potential. The cultural history of greater Sioux Falls provides destinations of worldwide interest and is a key starting point and destination. Efforts to encourage the visitor industry should continue in earnest given the excellent facilities, entertainment and overall experience we offer.

WORKFORCE HOUSING

The Greater Sioux Falls Chamber of Commerce supports working with housing organizations that support public and private efforts to provide workforce housing in greater Sioux Falls. The Chamber supports investment in public and private efforts to redevelop blighted areas in the city.

AGRICULTURE

The Greater Sioux Falls Chamber of Commerce recognizes the current and historic importance of agriculture in South Dakota and its valuable economic contribution to our economy. The Chamber supports efforts to enhance the regional, national, and international competitiveness of the local agricultural industry, including bio-based renewable fuels, products and biotechnology.

Government regulation of the agricultural industry, whether, local, state, or federal, should be based on clearly stated objectives supported by sound economic, scientific data that demonstrates a clear connection between the regulation and the objective. Every reasonable effort should be undertaken to enhance the competitive market place for local agricultural interests while maintaining reasonable and responsible environmental protections and practices.

WORKFORCE DEVELOPMENT

The Greater Sioux Falls Chamber of Commerce, working with the Sioux Falls Development Foundation, supports efforts toward workforce development through attraction, retention and educational attainment strategies that provide continued economic growth and individual opportunity in greater Sioux Falls. Southeast Technical College and USD Community College for Sioux Falls need community-focused governance and financial and mission support to optimize their impact on workforce development.

DIVERSITY AND INCLUSIVITY

The Greater Sioux Falls Chamber of Commerce recognizes the growing diversity of our population in Sioux Falls and South Dakota. We embrace the opportunities that this diversity provides for a culturally- and talent-rich community. We will work with citizens, our partners, community and state agencies and elected officials to develop efforts to engage and include all populations into our city and state. We will also resist initiatives that inappropriately sanction or discriminate against individuals or groups.

BUSINESS DEVELOPMENT

The Greater Sioux Falls Chamber of Commerce, working in partnership with governmental entities, believes in proactive approaches to business development through business parks, the Zeal Center for Entrepreneurship, the USD Discovery District, Foundation Park and the Forward Sioux Falls initiative. The Chamber supports these activities to further a progressive and growing economy ever moving forward to support the goals of its constituency.

HEALTH CARE

The Greater Sioux Falls Chamber of Commerce recognizes that overall health and wellness is crucial for our community and workforce. The Chamber endorses a health care agenda that supports health care providers, educators and organizations that comprise a large and important part of the greater Sioux Falls economy. The Chamber further recognizes the ever-increasing cost of health care for businesses and supports efforts to reduce the overall cost while maintaining strong and vibrant health care systems and providers that meet the needs of employees and consumers.

Approved by the Chamber Board: September 23, 2020



APPENDIX 3

2021 Legislative Scorecard

This document indicates how all 30 of the Sioux Falls area representatives¹ voted during the 2021 Legislative Session on issues the Greater Sioux Falls Chamber of Commerce took a position on². All of these particular votes were related to measures important to the Sioux Falls business community and fell in line with the legislative platform set by the Chamber's Issues Management Council (IMC) and Board of Directors.

The scorecard shows which representatives voted with and against the Chamber on these important issues. It's important to note that this scorecard is not necessarily indictive of everything that occurred during the 2021 Legislative Session that the Chamber was involved in. Further, this document is not intended as an evaluation of any lawmaker but is presented as a factual record of how votes were cast on select issues of importance to the Greater Sioux Falls Chamber of Commerce.

Lawmakers were given the "Sioux Falls Community Champion" designation if they voted with the Chamber on 100% of the bills on this scorecard. "Sioux Falls Supporter" designation was given to those legislators who voted in line with the Chamber on more than 80% of the bills.

¹ Sioux Falls area representatives include Districts 6, 9, 10, 11, 12, 13, 14, 15, 16, & 25

² Positions of the Greater Sioux Falls Chamber can be found on the Chamber's Bill Tracker updated and sent out on each Friday while the legislature is in session.

2021 Legislative Voting Record

		✖ Opposed Chamber's position																				✔ Supported Chamber's position					— Did not vote*					
Name (District)		HB 1017	HB 1018	HB 1021	HB 1042	HB 1046	HB 1053	HB 1061	HB 1076	HB 1097	HB 1154	HB 1159	HB 1217	HB 1246	HB 1247	HJR 5003	SB 30	SB 64	SB 71	SB 107	SB 123	SB 155	SB 162	SB 171	SB 180	SB 181	SB 185	SB 186	SB 195	Cumulative	2021	
Rep. Richard Thomason (13)		✔	✔	✔	✔	✔	✔	✔	—	✔	—	✔	✔	✔	✔	✔	✔	✔	—	✔	—	✔	✔	✔	✔	—	✔	✔	100%	100%	🏆 Community Champion	
Rep. Erin Healy (14)		✔	✔	✔	✔	✔	✔	✔	✔	✔	✔	✔	—	✔	✔	✔	✔	✔	✖	—	✔	—	✔	✔	✔	—	✔	✔	95%	96%	🏅 Supporter	
Rep. Doug Barthel (10)		✔	✔	✔	✔	✔	✔	✔	—	✔	—	✔	—	✔	✖	✔	✔	✔	—	✔	—	✔	✔	✔	✔	—	✔	✔	96%	95%	🏅 Supporter	
Rep. Jamie Smith (15)		✔	✔	✔	✔	✔	✔	✔	—	✔	—	✔	—	✔	✔	✔	✔	✔	✖	—	✔	—	✔	✔	✔	—	✔	✔	95%	95%	🏅 Supporter	
Rep. Taylor Rehfeldt (14)		✔	—	✔	✔	✔	✔	✔	✔	✖	✔	✔	—	✔	✔	✔	✔	✔	—	✔	—	—	✔	✔	—	—	—	✔	95%	95%	🏅 Supporter	
Sen. Herman Otten (6)		✔	✔	✔	✔	✔	✔	—	—	✔	—	✖	—	—	✔	✔	✔	✔	—	✔	—	✔	✔	✔	✔	—	✔	✔	83%	95%	🏅 Supporter	
Rep. Linda Duba (15)		✔	✔	✔	✔	✔	✔	✔	—	✔	—	✔	—	✔	✔	✔	✔	✖	—	✖	✔	✔	✔	✔	✔	✔	✔	✔	94%	92%	🏅 Supporter	
Rep. Greg Jamison (12)		✔	✔	✔	✔	✔	✔	✔	—	✔	—	✖	✔	✔	✖	✔	✔	✔	—	✔	—	✔	✔	✔	✔	—	✔	✔	91%	91%	🏅 Supporter	
Rep. David Anderson (16)		✔	✔	✔	✔	✔	✔	✔	—	✖	—	✔	—	✔	✖	✔	✔	✔	—	✔	—	✔	✔	✔	✔	—	✔	✔	91%	91%	🏅 Supporter	
Sen. Jack Kolbeck (13)		✔	✔	✔	✔	✔	✔	—	—	✖	—	✖	—	—	✔	✔	✔	✔	—	✔	✔	✔	✔	✔	✔	✔	✔	✔	92%	91%	🏅 Supporter	
Sen. Wayne Steinhauer (9)		✔	✔	✔	✔	✔	✔	✔	—	✖	—	✔	—	—	✖	✔	✔	✔	✔	✔	—	✔	✔	✔	✔	—	✔	✔	96%	91%	🏅 Supporter	
Rep. Mark Willadsen (11)		✔	✔	✔	✔	✔	✔	✔	—	✖	—	✔	—	✔	✖	✔	✔	✔	—	✔	—	✔	✔	✔	✔	—	✔	✔	96%	91%	🏅 Supporter	
Sen. Blake Curd (12)		✔	✔	✔	✔	—	✖	✔	—	✖	—	✔	—	—	✔	✔	✔	✔	—	✔	—	✔	✔	✔	✔	—	✔	✔	95%	90%	🏅 Supporter	
Sen. Larry Zikmund (14)		✔	✔	✔	✔	—	✔	✔	—	—	✖	—	—	✔	✔	✔	✔	✔	✔	✔	—	✔	✔	✔	✔	—	✔	✔	93%	90%	🏅 Supporter	
Sen. Jim Bolin (16)		✔	✔	✔	✔	✔	✔	—	—	✖	—	✖	—	—	✖	✔	✔	✔	—	✔	—	✔	✔	✔	✔	—	✔	✔	90%	85%	🏅 Supporter	
Sen. Marsha Symens (25)		✔	✔	✔	✔	✔	✔	—	—	✖	—	✖	—	—	✖	✔	✔	✔	—	✔	—	✔	✔	✔	✔	—	✔	✔	85%	85%	🏅 Supporter	
Sen. Reynold Nesiba (15)		✔	✔	✔	✔	✖	✖	✖	—	—	✔	—	—	✔	✔	✔	✔	✖	—	✔	✔	✔	✔	✔	✔	✔	✔	✔	84%	82%	🏅 Supporter	
Rep. Ernie Otten (6)		✔	✔	✔	✔	✔	✔	✖	—	✔	—	✖	✔	✔	✖	✔	✔	✖	—	✔	—	✖	✔	✔	✔	—	✔	✔	82%	78%		
Sen. Maggie Sutton (10)		✔	✔	—	✔	✔	✔	—	—	✖	—	✖	—	—	✖	✔	✔	✔	—	✔	✖	✔	✔	✔	✔	✖	✔	✔	82%	76%		
Rep. Kevin Jensen (16)		✔	✔	✔	✔	✔	✔	✖	✖	✔	✔	✖	—	✖	✖	✔	✔	✖	—	✔	—	✔	✔	✔	✔	—	✔	✔	70%	75%		
Sen. Jim Stalzer (11)		✔	✔	✔	✔	✔	—	—	—	✖	—	✖	—	—	✖	✔	✔	✖	✖	✔	—	✔	✔	✔	✔	—	✔	✔	82%	75%		
Rep. Arch Beal (12)		✔	✔	✔	✔	✔	—	✖	—	—	—	✖	—	—	✖	✔	✔	✖	—	✔	—	✔	✖	✔	✔	—	✔	✔	75%	74%		
Rep. Sue Peterson (13)		✔	✔	✔	✔	✔	✔	✖	—	✖	—	✖	—	✖	✖	✔	—	✔	—	✔	—	✔	✔	—	✔	—	✔	—	70%	74%		
Rep. Jon Hansen (25)		✔	✔	✔	✔	✔	✖	✔	✖	—	✖	—	—	✖	✖	✔	✖	✔	—	✔	—	✖	✔	✔	✔	—	✔	✔	71%	64%		
Rep. Rhonda Milstead (9)		✔	✔	✔	✔	✔	✔	✖	—	✖	—	✖	—	✖	✖	✔	✖	✖	—	✔	—	✖	✖	✔	✔	—	✔	✔	76%	59%		
Rep. Steve Haugaard (10)		✔	✔	✔	✔	✖	✖	✔	✖	—	✖	—	—	✖	✖	✔	✔	✖	—	✔	✖	✖	✖	✔	✔	✔	✔	✔	57%	54%		
Rep. Chris Karr (11)		✔	✔	—	✔	✖	✖	✖	—	✖	—	✖	—	✔	✖	✔	✔	✖	—	✔	✖	✔	✖	✔	✔	—	✔	✔	68%	52%		
Rep. Bethany Soye (9)		✔	✔	✔	✔	✔	✔	✖	—	✖	—	✖	—	✖	✖	✔	✖	✖	—	✔	—	✖	✖	✔	✖	—	✖	✖	45%	45%		
Rep. Tom Pischke (25)		✔	✔	✔	✔	✖	✖	✖	—	✖	—	✖	✔	✖	✖	✔	✖	✖	—	✔	—	✖	✖	✔	✔	—	✔	✖	50%	43%		
Rep. Aaron Aylward (6)		✔	✔	✔	✔	✔	✖	✖	✔	✖	✖	✖	—	✖	✖	✔	✖	—	—	—	—	✖	✖	✔	✖	—	✖	✖	36%	36%		

Notes: *If an elected official did not vote on an issue, the issue is not counted when tabulating the annual score.

South Dakota Legislative Session: 2021 Votes

- 1. Cold storage building: HB 1017** sought to appropriate the sum of \$750,000 to the Department of the Military to construct the facilities.

The Chamber actively supported HB 1017. A “YEA” vote was in accord with the Chamber’s position. The House passed the bill as amended with a vote of 68/0 and the Senate passed the bill as amended 35/0. It was signed into law by the Governor on March 21, 2021
- 2. National Guard Readiness Center: HB 1018** sought to appropriate the sum of \$500,000 in general funds and the sum of \$15 million in federal funds to provide for the expenditure authority to the Department of the Military, for purposes of design and construction of a National Guard Readiness Center in Sioux Falls.

The Chamber actively supported HB 1018. The House passed the bill as amended with a vote of 67/0 and the Senate passed the bill as amended 34/0. It was signed by the Governor on March 21, 2021.
- 3. Health care professionals reimbursement: HB 1021** sought to reimburse medical professionals who practice in rural areas of South Dakota.

The Chamber actively supported HB 1021. A “YEA” vote was in accord with the Chamber’s position. The House passed the bill with a vote of 66/0 and the Senate passed the bill with a vote of 34/0. It was signed into law by the Governor on March 21, 2021.
- 4. Riparian buffer strips: HB 1042** sought to further incentivize a state water conservation program for landowners by removing some of the red tape to apply for the program and by lengthening the reduction of property taxes from one year to ten years.

The Chamber supported HB 1042. A “YEA” vote was in accord with the Chamber’s position. The bill passed the House 69/0 and the Senate 35/0. HB 1043 was signed by the Governor on Feb. 24, 2021.
- 5. Limit liability for certain exposures to COVID-19: HB 1046** provided protections to employers and businesses against COVID-19 legal claims unless exposure was intentional and negligent. The bill limits the time frame of January 2020 to January 2023. A coalition of more than 40 businesses and agricultural groups supported this bill.

The Chamber actively supported HB 1046. A “YEA” vote was in accord with the Chamber’s position. The bill passed the House 60/10 and the Senate 29/3. HB 1046 was signed by the Governor on Feb. 17, 2021.
- 6. Annual fee for certain electric motor vehicles: HB 1053** required electric cars to pay an annual fee of \$50 that will be used to help fund highways when the vehicle is registered and renewed yearly. South Dakota’s highways and roads are primarily funded through a gas tax. This bill seeks to create a highway funding source for vehicles that drive on South Dakota highways and roads but do not pay a gas tax.

The Chamber supported HB 1053. A “YEA” vote was in accord with the Chamber’s position. The bill passed the House with a vote of 51/18 and the Senate 29/6. HB 1053 was signed by the Governor on March 3, 2021.

7. **Smoking and consuming marijuana in a motor vehicle: HB 1061** would apply to a motor vehicle located upon a public highway or the right-of-way of a public highway, if any person occupying, operating, or in actual physical control of a motor vehicle smokes marijuana or marijuana concentrate while the vehicle is being operated. For purposes of this law, marijuana concentrate is the resin extracted from any part of a marijuana plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin.
- The Chamber supported HB 1061. A “YEA” vote was in accord with the Chamber’s position. The bill passed the House 61/6 and the Senate 31/3. HB 1061 was signed by the Governor on March 25, 2021.
8. **Birth certificates and biological sex: HB 1076** sought to require a birth certificate to reflect the sex of the individual at birth with an exception that the birth certificate could be amended within one year of the original filing. The legislative intent went further to claim that the state’s interest in recordkeeping is paramount, and that persons whose gender identity does not conform to historical norms is not to be a consideration. This claim was made in spite of the widely accepted understanding that the number of instances the bill seeks to address is extremely small, therefore posing a negligible effect on the reliability of public birth records. Simply put, were the bill to become law, it would discriminate against a very small group of South Dakotans whose gender expression may not align with the views of the bill sponsors and a group of like-minded legislators, under the guise of some contrived government interest in maintaining accurate records.
- The Chamber actively opposed HB 1076. A vote against the bill was in accord with the Chamber’s position. The bill passed the House with a vote of 39/31 but was deferred to the 41st Legislative Day in Senate Health and Human Services 6/0.
9. **Philosophical exceptions to required vaccinations: HB 1097** sought to exempt children from required vaccinations if a parent or guardian is opposed to such immunization because of a sincerely held religious or philosophical belief.
- The Chamber opposed HB 1097. A vote against this bill was in accord with the Chamber’s position. HB 1097 was deferred to the 41st Legislative Day in House Health and Human Services 7/6.
10. **Employment contracts and competitive health care practices: HB 1154** would restrict health care employer noncompete contracts with the following health care professionals: physicians, physician assistants, certified nurse practitioners, certified nurse midwives, registered nurses, registered nurse anesthetists and licensed practical nurses.
- The Chamber opposed HB 1154. A “NAY” vote was in accord with the Chamber’s position. The bill passed the House with a vote of 41/27 and the Senate 19/16. HB 1154 was signed by the Governor on March 25, 2021.
11. **Employers’ rights with regard to health screenings: HB 1159** sought to codify an individual right to refuse to accept a medical intervention, including any vaccination, be subjected to discrimination or retaliation with respect to association, education, employment, housing, property rights, public accommodations or public services. The bill also precluded an employer from taking steps to screen any person entering the workplace, in order to determine whether the person has an infectious, contagious, or possibly contagious disease, if the screening is job-related and consistent with business necessity.
- The Chamber opposed HB 1159. A “YEA” vote was in accord with the Chamber’s position. The bill was deferred to the 41st Legislative Day in House Health and Human Services 9/3.

- 12. Transgender athletes: HB 1217** sought to provide fairness in women's sports, but the language of the bill went much further. The bill would require all females, both transgender females and females, to register for their sport with a statement that they had not taken any performance enhancing drugs for the prior 12 months. If the individual had taken any performance enhancing drugs, they would not be qualified to play and could be prohibited from playing that sport for up to one year.

Section two of the bill did not define the term performance enhancing drugs. Because the terms were not defined section two would prohibit both transgender females and females from playing sports. Performance enhancing drugs provides a wide spectrum of options for an athlete. For example, over the counter cold medicines, sports performance drinks and work-out supplement and other related performance aid would all be included in the term performance enhancing drugs. In essence HB 1217 cast a net to wide it would have banned any female athlete from playing sports.

The Chamber actively opposed HB 1217. A "NAY" vote was in accord with the Chamber's position. House passed the bill 50/17 and the Senate passed the bill 20/15. Governor Noem issued a Style and Form Veto of HB 1217. The House voted to override the Veto 67/2 and sent the bill back to Governor Noem. Then the Governor sent the bill back for their consideration as required by the Constitution. The House failed to override the Veto with a vote of 45/24.

- 13. Tax on ambulatory surgery centers and surgical specialty hospitals: HB 1246** would have imposed a tax of six percent on gross receipts for all ambulatory surgery centers.

The Chamber opposed HB 1246. A "YEA" vote was in accord with the Chamber's position. The bill was deferred to the 41st Legislative Day in House Taxation 13/0.

- 14. The consciences of medical professionals: HB 1247** would have added significant protections beyond federal law. The bill sought to add additional protections for employees to state law for medical practitioners, health care institutions or health care payers that would grant a new right not to participate in or pay for any health care service which violates his, her, or its conscience.

The Chamber opposed HB 1247. A "NAY" vote was in accord with the Chamber's position. The bill died in the House with a vote of 25/41.

- 15. Three-fifths vote requirement: HJR 5003** The joint resolution sought to raise the vote threshold to approve a constitutional amendment for fee and tax increases to 60% (3/5th) and sets a 60% voter threshold for programs that spend \$10 million dollars or more in the first five years.

The original version of the bill sought to place a ballot measure to be considered by South Dakota registered voters on the June primary election rather than the general election in November of 2022. In addition, perhaps an oversight, HJR did not include legislative proposed constitutional amendments and referred measures in the joint resolution. After discussions with concerned groups, including the Greater Sioux Falls Chamber of Commerce, the joint resolution was amended to move the vote to the general election and to add legislative language for consistency. However, the bill was changed in the Senate to move the election back to the June primary rather than the general election.

Although the Chamber did not take a position on raising the vote threshold proposed in the joint resolution, we did express concerns about the historical low voter turn-out numbers in primary elections. The Chamber supports South Dakota's longstanding tradition of direct citizen access to the ballot through the initiative and referendum processes. General election voter turnout is often more than double the voter turnout in primaries. A vote as significant as changing the South Dakota Constitution should be considered by all South Dakotans and the general election best serves that purpose.

The Chamber opposed moving the election to back to the primary rather than the general election. A “NAY” vote was in accord with the Chamber’s position. The House passed the bill with amendment with a vote of 56/12 and the Senate suspended the rules with a two-thirds vote and moved the vote from the general election back to the June primary in 2022 and passed the bill with a vote of 18/17. The House concurred with the election date change with a vote of 51/17. HJR 5003 was delivered to the Secretary of State on March 9, 2021.

- 16. Commercial learner’s permit: SB 30** extended the commercial learner’s permit issuance period to one year and loosened the renewal requirements.

The Chamber actively supported the SB 30. A “YEA” vote was in accord with the Chamber’s position. The bill passed the Senate 34/0 and the House 70/0. SB 30 was signed into law by the Governor on Wednesday, Feb. 17, 2021.

- 17. General Appropriations Bill: SB 64** sets the budget for fiscal year 2022.

The Chamber actively supported SB 64. A “YEA” vote was in accord with the Chamber’s position. SB 64 passed the Senate with a vote of 34/0 and the House with a vote of 58/11. SB 64 was signed by the Governor on March 21, 2021.

- 18. Juneteenth as a working holiday: SB 71** sought to require Juneteenth to be a working Holiday in South Dakota. Juneteenth is recognized because on June 19, 1865, the slaves in Texas, a geographically remote region of the confederacy, were officially informed by units of the United States military that the Civil War was over, that slavery in the United States had been abolished, and that the slaves were now free persons.

The Chamber actively supported HB 1294. A “YEA” vote was in accord with the Chamber’s position. The bill passed the Senate with a vote of 26/8 but died in House with a vote of 31/36.

- 19. Mobile food service regulations: SB 107** sought to remove local control on food trucks and vest more power to regulate these vehicles at the state level.

The Chamber opposed SB 2. A “NAY” vote was in accord with the Chamber’s position. Senate Commerce and Energy Committee failed to pass with a vote 2/7.

- 20. Comment period for initiated measures and amendments: SB 123** sought to create a ten-day period added onto the current time of signature gatherers. The process would begin with the attorney general filing the draft statement with the secretary of state, post the draft statement on the attorney general’s website and issue a press release announcing a draft statement has been posted for comment within sixty days of receipt of the proposed initiated measure or initiated amendment to the Constitution. The attorney general shall accept comments for ten days from the date the draft statement was filed. The attorney general shall review all comments submitted and revise the statement in response to the comments as deemed necessary.

The Chamber supported SB 123. A “YEA” vote was in accord with the Chamber’s position. The House passed the bill with a vote of 65/3 and the Senate passed the bill with a vote of 34/0. SB 123 was signed by the Governor on March 18, 2021.

- 21. Appropriation for workforce housing: SB 155** would have appropriated \$2.5 million to Rapid City and Sioux Falls through the South Dakota Housing Authority. Not long after the bill dropped problems arose when the smaller economic development groups wanted to be included in the bill. The Workforce Housing bill had a number of proposed amendments through those discussions. The bill, with agreement from all the economic development entities, was amended to \$60 million.

The Chamber actively supported SB 155. A vote in favor of the bill was in accord with the Chamber's position. State Affairs passed the bill with a vote of 9/0 and the Committee on Appropriations tabled the bill with a vote of 11/7. After the demise of SB 155, HB 1167 was hog housed to become the new workforce housing bill. The bill passed the Senate Committee on Appropriations 8/0 but died in the Senate with a vote of 35/0.

- 22. Airport route restoration: SB 162** sought to appropriate \$1.9 million each for Sioux Falls and Rapid City airports for route restoration and recruitment. In addition, it appropriates \$200,000 each for the essential air service airports of Aberdeen, Pierre and Watertown for marketing.

The Chamber actively supported SB 38. A "YEA" vote was in accord with the Chamber's position. The Senate passed the bill as amended with a vote of 34/1 and the House passed the bill as amended 47/21. SB 162 was signed by the Governor on March 21, 2020.

- 23. South Dakota Freedom Scholarship: SB 171** appropriated from the general fund the sum of \$50 million to the Bureau of Finance and Management, for purposes of funding the South Dakota needs based-scholarship endowment held with the South Dakota Community Foundation and administered by the South Dakota Freedom Scholarship Board. Sioux Falls community leaders T. Denny Sanford, Dana Dykhous and Miles Beacom have committed to raising/giving \$150 million to fund a trust designed to provide a college education for South Dakota kids who demonstrate academic aptitude but would not have the financial means to attend college. SB 171 was the Chamber's highest priority.

The Chamber actively supported SB 171. A "YEA" vote was in accord with the Chamber's position. Senate passed the bill with a vote of 32/1 and the passed the bill with a vote of 52/17. SB 171 was signed by the Governor on March 18, 2021.

- 24. Donations to the South Dakota State Veterans Cemetery: SB 180** creates within the state treasury the South Dakota State Veterans Cemetery operating fund, into which shall be deposited disbursements from the endowment fund created in § 33A-5-12, donations to the cemetery, and revenues generated by the South Dakota State Veterans Cemetery. The Department of Veterans Affairs may promulgate rules pursuant to chapter 1-26 to establish a fee for burial of an eligible spouse or dependent at the South Dakota State Veterans Cemetery. The fee may not exceed the United States Department of Veterans Affairs maximum plot allowance for a non-service-connected death of a veteran.

The Chamber actively supported SB 180. A "YEA" vote was in accord with the Chamber's position. The Senate passed the bill as amended with a vote of 35/0 and the House passed the bill with further amendments with a vote of 68/0. The bill was sent to conference committee, but the Senate did not concur with the House changes to the bill in the first round. With further changes and agreement, both the Senate and the House adopted the conference committee report with a vote of 35/0 and 69/0 respectively. SB 180 was signed by the Governor on March 21, 2021.

- 25. Road improvements to the State Veterans Cemetery: SB 181** sought to appropriate from the general fund the sum of \$1.5 million to the Department of Veterans Affairs, for purposes of making improvements to Slip Up Creek Road and 477th Avenue, from the intersection of Slip Up Creek Road and 476th Avenue to the entrance of the South Dakota State Veterans Cemetery on 477th Avenue in Minnehaha County.

The Chamber actively supported SB 181. A “YEA” vote was in accord with the Chamber’s position. The Senate passed the bill as amended with a vote of 35/0 and the House passed the bill as amended 58/10. SB 181 was signed by the Governor on March 21, 2020.

- 26. Economic development projects in Sioux Falls: SB 185** sought to appropriate the sum of \$15 million to the Governor’s Office of Economic Development, for purposes of making grants to any industrial development corporation that is going to make infrastructure improvements in industrial parks in Sioux Falls. The bill was later hog housed to appropriate \$7.5 million to Southeast Technical College to buy a portion of the New Tech High and renovate that facility and others to increase their program capacity.

The Chamber actively supported SB 185. A “YEA” vote was in accord with the Chamber’s position. The bill was amended in Commerce and Energy to strike the name Sioux Falls and insert the name South Dakota. The amended bill passed Joint Appropriations 9/0. The bill was hog housed in the Committee on Appropriations with a vote of 9/0. Final action on the bill occurred later in time in Committee on Appropriations where it was tabled with a vote of 12/6.

- 27. The Link: SB 186** sought to appropriate the sum of \$3 million to the Department of Social Services, for purposes of providing grants to the City of Sioux Falls to support behavioral and mental health services in crisis stabilization.

The Chamber actively supported SB 186. A “YEA” vote was in accord with the Chamber’s position. Senate passed the bill with a vote of 34/1 and passed the House with a vote of 59/10. SB 186 was signed by the Governor on March 25, 2021.

- 28. General Appropriations Supplemental Bill: SB 195** appropriated one-time expenses. Since the Governor’s budget proposal in December, the state saw an uptick in our revenue projections. This has allowed the state to invest in areas that are crucial to meeting the current and future needs of South Dakota – education, healthcare providers, and the state employee workforce. This budget is rooted in fiscal discipline and uses one-time money for one-time expenses and ongoing money for ongoing expenses.

The Chamber supported SB 195. A “YEA” vote was in accord with the Chamber’s position. This bill passed the Senate with a vote of 34/0 and the House with a vote of 61/8. SB 195 was signed by the Governor on March 21, 2021.



**GREATER
SIOUX FALLS
CHAMBER OF COMMERCE**

APPENDIX 4

Chamber Bill Tracker

Greater Sioux Falls Chamber of Commerce Bill Tracker - 2021 Legislative Session (as of 04/12/2021)

Bill#	Title	Tier	Chamber Position	Chamber Platform	Primary Sponsors	Original Committee	Orig. Comm. Action	Opp. Comm.	Opp. Comm. Action	Opp. Cham. Action
HB 1017	HB1017 : An Act to, to revise the appropriation for the construction of a cold storage building located in Sioux Falls and to declare an emergency.	1	Support		The Committee on Appropriations	House Committee on Appropriations	Do Pass (passed 7-0); House Do Pass (passed 68-0);	Senate Committee on Appropriations	Do Pass (passed 9-0);	Senate Do Pass (passed 35-0);
HB 1018	HB1018 : An Act to, authorize the construction of a National Guard Readiness Center in Sioux Falls, to make an appropriation therefor, and to declare an emergency.	1	Support		The Committee on Appropriations	House Committee on Appropriations	Do Pass (passed 7-0); House Do Pass (passed 68-0);	Senate Committee on Appropriations	Do Pass (passed 9-0);	Senate Do Pass Amended (passed 34-0); House Concurred
HB 1019	HB1019 : An Act to, make an appropriation to the South Dakota Ellsworth Development Authority and to declare an emergency.	W	Neutral		Request of The Governor's Office of Economic Development	House Committee on Appropriations	Deferred to the 41st Legislative Day (7-2);			
HB 1021	HB1021 : An Act to, make an appropriation to reimburse certain health care professionals who have complied with the requirements for certain health care recruitment assistance programs and to declare an emergency.	1	Support		Request of the Department of Health	House Committee on Appropriations	Do Pass (passed 9-0);	Senate Committee on Appropriations	Do Pass (passed 9-0);	Senate Do Pass Amended (passed 34-0);
HB 1042	HB1042 : An Act to, revise certain provisions regarding riparian buffer strips	1	Support		Request of the Department of Environmental and Natural Resources	House Agriculture and Natural Resources	Do Pass Amended (Passed 13-0); House Do Pass Amended (passed 69-0);	Senate Agriculture and Natural Resources	Do Pass (passed 5-0);	Senate Do Pass (passed 35-0);
HB 1045	HB1045 : An Act to, revise certain tenant and landlord rights.	W			Rep. Mulally	House Local Government	Do Pass (failed 6-7); Deferred to the 41st Legislative Day (passed 10-3);			
HB 1046	HB1046 : An Act to, limit liability for certain exposures to COVID-19.	1	Support		Rep. Anderson and Sen. Diedrich	House State Affairs	Do Pass Amended (passed 12-1);	Senate Judiciary	Do Pass (passed 5-0);	Senate Do Pass Amended (passed 29-3);
HB 1048	HB1048 : An Act to, revise provisions regarding the sales of certain older vehicles at auction.	W			Rep. Anderson and Sen. Duvall	House Transportation	Do Pass Amended (passed 11-0);	Senate Transportation	Do Pass (passed 6-0);	Senate Do Pass (passed 32-0);
HB 1053	HB1053 : An Act to, establish an annual fee for certain electric motor vehicles.	1	Support		Rep. Willadsen and Sen. Duvall	House Transportation	Do Pass Amended (pass 12-0);	Senate Transportation	Do Pass (passed 6-1);	Senate Do Pass Amended (passed 29-6);
HB 1057	HB1057 : An Act to, establish resident tuition requirements for veterans and armed forces personnel and family members.	W			Rep. Deutsch and Sen. Stalzer	House Military and Veterans Affairs	Do Pass Amended (passed 10-0);	Senate Education	Do Pass (passed 7-0);	Senate Do Pass (passed 35-0);

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HB 1059	HB1059 : An Act to, add nonvoting legislative members to the South Dakota Ellsworth Development Authority.	W			Rep. Goodwin and Sen. Johnson (David)	House Military and Veterans Affairs	Do Pass Amended (failed 6-5); Deferred to the 41st Legislative Day (failed 6-5); Tabled (passed 10-0);	House Do Pass Amended (passed 61-6);	Senate Transportation	Do Pass (passed 7-0);	Senate Do Pass (passed 31-3);
HB 1061	HB1061 : An Act to, prohibit smoking marijuana and its derivatives in a motor vehicle and create a penalty therefor.	1	Support		Rep. Fitzgerald and Sen. Wilk	House Judiciary	Do Pass Amended (passed 11-1);				
HB 1064	HB1064 : An Act to, make an appropriation for and the establishment of peer support and critical incident stress management training for first responder organizations.	W			Rep. Milstead and Sen. Duhamel	House Committee on Appropriations	Do Pass Amended (passed 9-0);	House Do Pass Amended (passed 67-0);	Senate Committee on Appropriations	Do Pass Amended (passed 7-0);	Senate Do Pass Amended (passed 34-0); House Concurred
HB 1065	HB1065 : An Act to, adopt the emergency medical personnel licensure interstate compact.	W			Rep. Milstead and Sen. Smith (VI)	House Commerce and Energy	Do Pass (passed 12-0);	House Do Pass (passed 68-0);	Senate Health and Human Services	Do Pass Amended (passed 7-0);	Senate Do Pass (passed 33-0); House Concurred
HB 1076	HB1076 : An Act to, require that birth certificates reflect biological sex.	1	Oppose		Rep. Deutsch and Sen. Wilk	House Health and Human Services	Do Pass (failed 6-7); Deferred to the 41st Legislative Day (passed 7-6); Report out of committee without recommendation;	House Do Pass (passed 39-31);	Senate Health and Human Services	Deferred to the 41st Legislative Day (passed 6-0);	
HB 1077	HB1077 : An Act to, provide for licensure by endorsement for certain licensed professionals and occupations.	W			The Office of the Governor	House State Affairs	Do Pass Amended (passed 13-0);	House Do Pass Amended (passed 67-3);	Senate Commerce and Energy	Do Pass (passed 8-0);	Senate Do Pass (passed 34-1);
HB 1082	HB1082 : An Act to, revise certain state aid to education definitions for the 2021-2022 school year.	W			The Committee on Education	House Education	Do Pass (passed 15-0);	House Do Pass (passed 65-0);	Senate Education	Do Pass (passed 6-0);	Senate Do Pass (passed 31-0);
HB 1084	HB1084 : An Act to, revise provisions regarding the duration of restrictive contracts or declarations.	W			Rep. Tidemann and Sen. Duvall	House Local Government	Do Pass (passed 10-3);	House Do Pass Amended (passed 55-14);	Senate Judiciary	Do Pass (passed 7-0);	Senate Do Pass (passed 34-1);
HB 1085	HB1085 : An Act to, redefine the criteria for classifying land as agricultural for tax purposes.	W			Rep. Chaffee and Sen. Duvall	House Taxation	Do Pass (passed 10-2);	House Do Pass Amended (failed 34-35); Intent to reconsider; Reconsidered; Do Pass Amended (41-27);	Senate Taxation	Do Pass Amended (passed 5-2);	Senate Do Pass Amended (passed 28-7); House Concurred
HB 1086	HB1086 : An Act to, allow succession to real property by an affidavit.	W			Rep. Cwach and Sen. Johns	House Judiciary	Deferred to the 41st Legislative Day (passed 9-4);				

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HB 1088	HB1088 : An Act to, revise certain provisions regarding disclosures for newly constructed properties.	W			Rep. Howard and Sen. Johnson (David)	House Commerce and Energy	Deferred to the 41st Legislative Day (passed 10-3);	House Do Pass (passed 69-0);	Senate Commerce and Energy	Do Pass Amended (passed 9-0);	Senate Do Pass Amended (passed 33-0); House Concurred
HB 1090	HB1090 : An Act to, modify certain requirements for domestic not-for-profit corporations.	W			Rep. Weisgram and Sen. Tobin	House Commerce and Energy	Do Pass (passed 13-0);	House Do Pass (passed 52-14);	Senate State Affairs	Do Pass (passed 8-1);	Senate Tabled (passed 33-0);
HB 1095	HB1095 : An Act to, establish criteria regarding marijuana.	W			Rep. Gosch	House State Affairs	Do Pass (passed 12-0);				
HB 1097	HB1097 : An Act to, provide for philosophical exceptions to required vaccinations.	1	Oppose		Rep. Pischke	House Health and Human Services	Deferred to the 41st Legislative Day (passed 7-6);				
HB 1098	HB1098 : An Act to, authorize the shipment of cigars to persons in this state under certain conditions and to provide a penalty.	W			Rep. Reed and Sen. Crabtree	House Commerce and Energy	Do Pass (passed 12-1);	House Do Pass (passed 65-3);	Senate Commerce and Energy	Do Pass (passed 8-0);	Senate Do Pass (passed 35-0);
HB 1099	HB1099 : An Act to, revise the property tax exemption amount for certain agricultural property.	W			Rep. Chaffee and Sen. Duvall	House Taxation	Tabled (passed 12-0);				
HB 1100	HB1100 : An Act to, establish criteria regarding marijuana.	W			Rep. Gosch	House State Affairs	Do Pass Amended (passed 10-3);	House Do Pass Amended (passed 40-28);	Senate Health and Human Services	Do Pass Amended (passed 6-1);	Senate Do Pass Amended (passed 29-6); House Failed to Concur; Conference Committee appointed
HB 1101	HB1101 : An Act to, establish criteria regarding marijuana.	W			Rep. Gosch	House State Affairs	Tabled (passed 12-0);				
HB 1109	HB1109 : An Act to, modify requirements and restrictions related to certain alcoholic beverages.	W			Rep. Chaffee and Sen. Castleberry	House Committee on Appropriations	Do Pass Amended (passed 13-0);	House Do Pass Amended (passed 65-3);	Senate Commerce and Energy	Do Pass (9-0);	Senate Do Pass (passed 35-0);
HB 1112	HB1112 : An Act to, revise the safety zone within which a firearm may be discharged.	W			Rep. Blare and Sen. Crabtree	House Agriculture and Natural Resources	Do Pass Amended (passed 10-2);	House Do Pass Amended (failed 27-40);			

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HB 1113	HB1113 : An Act to, revise certain references to the International Building Code.	W			Rep. Otten (Ernie) and Sen. Duvall	House Commerce and Energy	Do Pass (passed 11-0);	House Do Pass (passed 70-0);	Senate Commerce and Energy	Do Pass (passed 8-1);	Senate Do Pass (passed 29-6);
HB 1117	HB1117 : An Act to, revise provisions for public meetings held by teleconference.	W			Rep. Reed and Sen. Otten (Herman)	House Local Government	Deferred to the 41st Legislative Day (failed 6-7); Do Pass (passed 7-6);	House Do Pass Amended (failed 11-57);			
HB 1120	HB1120 : An Act to, establish a website for the posting of notices for certain local governments.	W			Rep. Hansen and Sen. Kolbeck	House Local Government					
HB 1121	HB1121 : An Act to, establish criteria governing the sale of homemade food items.	W			Rep. Wiese and Sen. Zikmund	House Local Government	Deferred to the 41st Legislative Day (passed 10-3);				
HB 1127	HB1127 : An Act to, revise certain provisions regarding official meetings conducted by teleconference.	W			Rep. Reed and Sen. Duvall	House Local Government	Do Pass (passed 12-1);	House Do Pass (passed 50-18);	Senate Local Government	Do Pass (passed 6-1);	Senate Do Pass (passed 33-0);
HB 1134	HB1134 : An Act to, enhance South Dakota.	W			Rep. Peterson (Kent)	House Committee on Appropriations	Tabled (passed 9-0);				
HB 1135	HB1135 : An Act to, accommodate legislation on medical services.	W			Rep. Peterson (Kent)	House State Affairs	Do Pass (passed 11-0);	House Do Pass (passed 53-13);	Senate State Affairs	Do Pass (passed 9-0);	Senate Tabled (passed 35-0);
HB 1137	HB1137 : An Act to, accommodate legislation relating to education in South Dakota.	W			Rep. Peterson (Kent)	House State Affairs	Do Pass (passed 11-0);	House Do Pass (passed 52-14);	Senate State Affairs	Do Pass (passed 9-0);	
HB 1141	HB1141 : An Act to, create the medical reinsurance program and to make an appropriation therefor.	W			Rep. Cwach and Sen. Nesiba	House Commerce and Energy	Deferred to the 41st Legislative Day (passed 11-1);				
HB 1142	HB1142 : An Act to, establish criteria regarding higher education.	W			Rep. Greenfield (Lana)	House Education	Withdrawn at the Request of the Prime Sponsor				
HB 1143	HB1143 : An Act to, authorize certain municipalities to offer limited incentives for industrial development.	W			Rep. Anderson and Sen. Wilk	House Local Government	Do Pass (passed 12-1);	House Do Pass (passed 58-10);	Senate Local Government	Do Pass (passed 6-1);	Senate Do Pass (passed 32-1);

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HB 1144	HB1144 : An Act to, make an appropriation to the Board of Technical Education for a new classroom building and to declare an emergency.	W				Rep. Bartels and Sen. Schoenbeck	House Committee on Appropriations	Tabled (passed 6-3);	House Do Pass Amended (passed 46-20);	Senate Education	Deferred to the 41st Legislative Day (passed 7-0);	
HB 1146	HB1146 : An Act to, establish criteria regarding higher education.	W				Rep. Peterson (Sue)	House Education	Do Pass Amended (passed 9-6);				
HB 1149	HB1149 : An Act to, establish timberland as a separate classification of property for tax purposes, define the criteria for timberland classification, and set the tax parameters for property classified as timberland.	W				Rep. Chaffee and Sen. Duvall	House Taxation	Withdrawn at the Request of the Prime Sponsor				
HB 1151	HB1151 : An Act to, create a peer support services program.	W				Rep. Reed and Sen. Steinhauer	House Committee on Appropriations	Tabled (passed 7-2);				
HB 1153	HB1153 : AN ACT to, authorize the Board of Regents to contract for the design and construction of a new dairy research and extension farm on the campus of South Dakota State University, together with equipment and furnishings to make an appropriation therefor.	W				Rep. Tidemann and Sen. Wilk	House Committee on Appropriations	Do Pass Amended (passed 6-3);	House Do Pass Amended (passed 53-15);	Senate Committee on Appropriations	Do Pass (passed 8-0);	Senate Do Pass Amended (passed 30-5); House Concurred
HB 1154	HB1154 : An Act to, prohibit employment contracts restricting competitive health care practices.	1	Oppose			Rep. Deutsch and Sen. Curd	House Judiciary	Do Pass Amended (passed 7-6);	House Do Pass Amended (passed 41-27);	Senate Health and Human Services	Do Pass (passed 5-2);	Senate Do Pass Amended (passed 19-16);
HB 1155	HB1155 : An Act to, remove certain restrictions on gifts of agricultural land.	W				Rep. Mortenson and Sen. Wheeler	House Taxation	Do Pass (passed 13-0);	House Do Pass (passed 64-3);	Senate Agriculture and Natural Resources	Do Pass (passed 4-0);	Senate Do Pass (passed 33-2);
HB 1157	HB1157 : An Act to, establish restrictions governing instructional standards and curricular materials.	1	Oppose				House Education	Withdrawn at the Request of the Prime Sponsor				
HB 1159	HB1159 : An Act to, prohibit interference with the right to bodily integrity in contagious disease control.	1	Oppose			Rep. Jensen (Phil)	House Health and Human Services	Deferred to the 41st Legislative Day (passed 9-3);				
HB 1160	HB1160 : An Act to, prohibit driving a motor vehicle while exceeding the legal limit of delta 9-tetrahydrocannabinol.	W				Rep. Fitzgerald and Sen. Staizer	House Judiciary	Deferred to the 41st Legislative Day (passed 11-1);				
HB 1162	HB1162 : An Act to, establish the Re-Homestead South Dakota Program.	W				Rep. Finck and Sen. Tobin	House Taxation	Deferred to the 41st Legislative Day (passed 10-3);				

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HB 1163	HB1163 : An Act to, revise provisions related to physician assistants.	W			Rep. Johnson (Chris) and Sen. Tobin	House Health and Human Services	Deferred to the 41st Legislative Day (passed 7-6);	House Do Pass (passed 49-17);	Senate Committee on Appropriations	Do Pass Amended (passed 8-0);	Senate Do Pass Amended (passed 35-0); House Concurred
HB 1166	HB1166 : An Act to, make an appropriation to enhance South Dakota and to declare an emergency.	W			Rep. Karr	House Committee on Appropriations	Do Pass (passed 9-0);	House Do Pass (passed 50-16);	Senate Committee on Appropriations	Do Pass Amended (passed 8-0);	Senate Tabled (passed 35-0);
HB 1167	HB1167 : An Act to, make an appropriation to improve South Dakota and to declare an emergency.	1	Support		Rep. Karr	House Committee on Appropriations	Do Pass (passed 9-0);				
HB 1168	HB1168 : An Act to, make an appropriation to provide for the development of South Dakota and to declare an emergency.	W			Rep. Karr	House Committee on Appropriations	Tabled (passed 9-0);				
HB 1169	HB1169 : An Act to, make an appropriation for the benefit of South Dakota and to declare an emergency.	W			Rep. Karr	House Committee on Appropriations	Do Pass (passed 9-0);	House Do Pass (passed 49-17);	Senate Committee on Appropriations	Do Pass Amended (passed 8-0);	Senate Do Pass Amended (passed 33-2); House Concurred
HB 1171	HB1171 : An Act to, make an appropriation to promote South Dakota and to declare an emergency.	W			Rep. Karr	House Committee on Appropriations	Do Pass (passed 9-0);	House Do Pass (passed 48-18);	Senate Committee on Appropriations	Do Pass Amended (passed 8-0);	Senate Do Pass Amended (passed 34-1); House Concurred
HB 1172	HB1172 : An Act to, make an appropriation for the wellness of South Dakota and to declare an emergency.	W			Rep. Karr	House Committee on Appropriations	Tabled (passed 9-0);				
HB 1173	HB1173 : An Act to, make an appropriation to improve healthcare in South Dakota and to declare an emergency.	W			Rep. Karr	House Committee on Appropriations	Tabled (passed 9-0);				
HB 1174	HB1174 : An Act to, make an appropriation to enhance education in South Dakota and to declare an emergency.	W			Rep. Karr	House Committee on Appropriations	Tabled (passed 9-0);				
HB 1175	HB1175 : An Act to, make an appropriation for infrastructure improvements in South Dakota and to declare an emergency.	W			Rep. Karr	House Committee on Appropriations	Tabled (passed 9-0);				
HB 1177	HB1177 : An Act to, make an appropriation to improve the greatness of South Dakota and to declare an emergency.	W			Rep. Karr	House Committee on Appropriations	Tabled (passed 8-1);				

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HB 1182	HB1182 : An Act to, accommodate legislation relating to the protection of public safety.	W			Rep. Peterson (Kent)	House State Affairs	Do Pass (passed 11-0);	House Do Pass (passed 49-17);	Senate State Affairs	Do Pass (passed 8-1);	Senate Tabled (passed 35-0);
HB 1183	HB1183 : An Act to, establish certain provisions related to the names of geographic places.	W			Rep. Bordeaux	House State Affairs	Deferred to the 41st Legislative Day (passed 9-1);				
HB 1186	HB1186 : An Act to, revise certain provisions regarding sentencing.	W			Rep. Pischke	House Judiciary	Tabled (passed 9-0);				
HB 1217	HB1217 : An Act to, promote continued fairness in women's sports.	1	Oppose		Rep. Milstead and Sen. Sutton	House State Affairs	Do Pass Amended (passed 11-2);	House Do Pass Amended (passed 50-17);	Senate State Affairs	Deferred to the 41st Legislative Day (passed 6-3); Recalled from committee via Rule 7-7 (passed 16-18);	Senate Do Pass Amended (passed 20-15);
HB 1246	HB1246 : An Act to, impose a tax on the gross receipts of ambulatory surgery centers and surgical specialty hospitals, provide a penalty for a violation thereof, and to declare an emergency.	1	Oppose		Rep. Goodwin	House Taxation	Deferred to the 41st Legislative Day (passed 13-0);				
HB 1247	HB1247 : An Act to, provide for the protection of the consciences of medical professionals.	1	Oppose		Rep. Hansen and Sen. Curd	House State Affairs	Do Pass Amended (passed 8-5);	House Do Pass Amended (failed 25-14);			
HB 1256	HB1256 : An Act to, make an appropriation for the cleanup of the Big Sioux watershed and River and to declare an emergency.	1	Support		Rep. Karr	House Committee on Appropriations	Do Pass (passed 7-0);	House Do Pass (passed 48-20);	Senate Committee on Appropriations	Do Pass Amended (passed 7-0);	Senate Do Pass Amended (passed 29-6); House Concurred
HB 1267	HB1267 : An Act to, make an appropriation to the Board of Technical Education for the purchasing of equipment and to declare an emergency.	1	Support		The Committee on Appropriations	House Committee on Appropriations	Do Pass Amended (passed 8-0);	House Do Pass Amended (passed 57-9);	Senate Committee on Appropriations	Do Pass Amended (passed 8-0);	Senate Tabled (passed 24-11);
HJR 5003	HJR5003 : A Joint Resolution, Proposing and submitting to the voters at the 2022 primary election a new section to Article XI of the Constitution of the State of South Dakota, relating to a three-fifths requirement for certain initiated constitutional amendments or measures.	1	Oppose		Rep. Hansen and Sen. Schoenbeck	House State Affairs	Do Pass Amended (passed 11-2);	House Do Pass Amended (56-12);	Senate State Affairs	Do Pass (passed 6-3);	Do Pass Amended (passed 18-17); House Concurred
SB 4	SB4 : An Act to, revise certain provisions regarding the health professionals assistance program.	W			Request of the Board of Nursing	Senate Health and Human Services	Do Pass (passed 6-0);	Senate Do Pass (passed 34-0);	House Health and Human Services	Do Pass (passed 12-0);	House Do Pass (passed 68-1);

SB 10	SB10 : An Act to, revise the composition of the state trunk highway system.	W			Request of the Department of Transportation	Senate Transportation	Do Pass (passed 7-0);	Senate Do Pass (passed 34-0);	House Transportation	Do Pass (passed 13-0);	House Do Pass (passed 68-1);
SB 27	SB27 : An Act to, revise and repeal certain tuition rates at institutions governed by the Board of Regents.	W			Request of the Board of Regents	Senate Committee on Appropriations	Do Pass (passed 7-0);	Senate Do Pass (passed 33-0);	House Education	Do Pass (passed 11-2);	House Do Pass Amended (passed 62-6);
SB 28	SB28 : An Act to, authorize the Board of Regents to contract for the redesign and renovation of, and the design and construction of an addition to, the Stanley J. Marshall Center on the campus of South Dakota State University, together with equipment and furnishings, to make an appropriation therefor, and to declare an emergency.	W			Request of the Board of Regents	Joint Committee on Appropriations	Do Pass (passed 16-2);	Do Pass Amended (passed 32-3);	Referral to Committee Waived Pursuant to JR 6D-1 H.J. 492		House Do Pass Amended (passed 63-4);
SB 29	SB29 : An Act to, revise certain training and testing requirements for entry level driver applicants for a commercial driver license.	W			Request of the Department of Public Safety	Senate Commerce and Energy	Do Pass (passed 7-0);	Senate Do Pass (passed 32-2);	House Transportation	Do Pass (passed 12-0);	House Do Pass (passed 69-0);
SB 30	SB30 : An Act to, extend the issuance period for commercial learner's permits.	1	Support		Request of the Department of Public Safety	Senate Transportation	Do Pass (passed 7-0);	Senate Do Pass (passed 34-0);	House Transportation	Do Pass (passed 10-0);	House Do Pass (passed 70-0);
SB 49	SB49 : An Act to, revise property tax levies for school districts and to revise the state aid to general and special education formulas.	W			Bureau of Finance and Management	Joint Committee on Appropriations	Do Pass (passed 16-2);	House Do Pass (passed 66-3);	Committee Referral Waived		Senate Do Pass (passed 34-0);
SB 64	SB64 : An Act to, revise the General Appropriations Act for fiscal year 2021.	1	Support		The Committee on Appropriations	Joint Committee on Appropriations	Do Pass Amended (passed 18-0);	House Do Pass (passed 58-11);	Waived Pursuant to JR 6D-1 H.J. 562		Senate Do Pass Amended (passed 34-0);
SB 71	SB71 : An Act to, designate Juneteenth Day as a working holiday.	1	Support		Sen. Bolin and Rep. Deutsch	Senate State Affairs	Do Pass (passed 7-2);	Senate Do Pass Amended (passed 26-8);	House State Affairs	Do Pass (passed 13-0);	House Do Pass (failed 31-36);
SB 89	SB89 : An Act to, add Juneteenth as a state holiday.	W			Sen. Nesiba and Rep. Healy	Senate State Affairs	Deferred to the 41st Legislative Day (passed 8-1);				
SB 90	SB90 : An Act to, recognize hair discrimination as an unfair or discriminatory practice.	W			Sen. Nesiba and Rep. Healy	Senate State Affairs	Deferred to the 41st Legislative Day (passed 8-1);				

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SB 92	SB92 : An Act to, require that certain proposed rules include an affordable housing impact statement.	W			Sen. Otten (Herman) and Rep. Jamison	Senate Local Government	Do Pass Amended (passed 5-0);	Senate Do Pass (passed 34-1);	House Local Government	Do Pass (12-0);	House Do Pass (passed 68-0);
SB 96	SB96 : An Act to, revise certain provisions regarding the use of telehealth technologies.	W			The Office of the Governor	Senate Health and Human Services	Do Pass (passed 7-0);	Senate Do Pass (passed 34-0);	House Health and Human Services	Do Pass (12-0);	House Do Pass (passed 64-5);
SB 101	SB101 : An Act to, revise provisions regarding warranty agreements with vehicle dealers.	W			Sen. Tobin and Rep. Finck	Senate Commerce and Energy	Do Pass Amended (passed 8-0);	Senate Do Pass Amended (passed 32-0);	House Transportation	Do Pass (passed 11-0);	House Do Pass (passed 68-0);
SB 103	SB103 : An Act to, provide for the confidentiality of personal information of persons affiliated with nonprofit corporations and to provide a penalty therefor.	W			Sen. Crabtree and Rep. Chaffee	Senate Commerce and Energy	Do Pass Amended (passed 8-1);	Senate Do Pass Amended (passed 33-2);	House State Affairs	Do Pass Amended (passed 11-2);	House Do Pass Amended (passed 55-13); Senate Concurred
SB 104	SB104 : An Act to, reduce the rate of sales tax on certain food.	W			Sen. Heinert and Rep. Smith (Jamie)	Senate Taxation	Deferred to the 41st Legislative Day (passed 7-0);				
SB 105	SB105 : An Act to, revise certain provisions regarding operator's licenses, instruction permits, and restricted minor's permits.	W			Sen. Wilk and Rep. Reimer	Senate Transportation	Deferred to the 41st Legislative Day (failed 4-2); Do Pass Amended (passed 4-2);	Senate Do Pass Amended (passed 27-8);	House Transportation	Deferred to the 41st Legislative Day (passed 9-4);	
SB 107	SB107 : An Act to, ease regulations related to mobile food service establishments.	1	Oppose		Sen. Novstrup and Rep. Aylward	Senate Commerce and Energy	Do Pass (failed 2-7); Deferred to the 41st Legislative Day (passed 7-2);				
SB 123	SB123 : An Act to, require a comment period for the attorney general's statement regarding initiated measures and initiated amendments.	1	Support		Sen. Diedrich and Rep. Jamison	Senate State Affairs	Do Pass Amended (passed 7-1);	Senate Do Pass Amended (passed 32-3);	House Local Government	Do Pass Amended (passed 13-0);	House Do Pass Amended (passed 65-3); Senate Concurred
SB 155	SB155 : An Act to, appropriate funds to support revolving funds for workforce housing and to declare an emergency.	1	Support		Sen. Diedrich	Joint Committee on Appropriations	Tabled (passed 11-7);				
SB 162	SB162 : An Act to, appropriate funds for airport route restoration, business development, and air service marketing and to declare an emergency.	1	Support		Sen. Curd and Rep. Jamison	Joint Committee on Appropriations	Do Pass Amended (passed 11-7);	Senate Do Pass Amended (passed 34-1);	Referral to Committee Waived Pursuant to JR 6D-1 H.J. 492		House Do Pass Amended (passed 47-21); Senate Concurred
SB 171	SB171 : An Act to, provide needs-based scholarship funding for South Dakota students, make an appropriation therefor, and declare an emergency.	1	Support		Sen. Schoenbeck and Rep. Peterson (Kent)	Joint Committee on Appropriations	Do Pass Amended (passed 12-4);	Senate Do Pass Amended (passed 32-1);	House Committee on Appropriations	Referred to House of Representatives (H.J. 444)	House Do Pass (passed 52-17);

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SB 177	SB177 : An Act to, revise the provisions of parental choice regarding compulsory school attendance and matters ancillary thereto.	1	Neutral		Sen. Steinhauer and Rep. Reimer	Senate Education	Do Pass Amended (passed 6-1);	Senate Do Pass Amended (passed 21-14);	House State Affairs	Do Pass (passed 8-5);	House Do Pass (passed 41-27);
SB 180	SB180 : An Act to, revise certain provisions regarding revenues generated by and donations to the South Dakota State Veterans Cemetery.	1	Support		Sen. Zikmund and Rep. Goodwin	Senate Military and Veterans Affairs	Do Pass Amended (passed 5-0);	Senate Do Pass Amended (passed 35-0);	House Military and Veterans Affairs	Do Pass Amended (passed 12-0);	House Do Pass Amended (passed 68-0); Senate Failed to Concur; Conference Committee <i>Report adopted</i>
SB 181	SB181 : An Act to, make an appropriation for road improvements leading to the State Veterans Cemetery and to declare an emergency.	1	Support		Sen. Stalzer and Rep. Goodwin	Joint Committee on Appropriations	Do Pass (passed 14-4);	Senate Do Pass Amended (passed 35-0);	Referral to committee waived pursuant to JR 6D-1 H.J. 492		House Do Pass Amended (passed 58-10);
SB 185	SB185 : An Act to, make an appropriation to provide for an economic development in Sioux Falls and to declare an emergency.	1	Support		Sen. Kolbeck and Rep. Peterson (Kent)	Joint Committee on Appropriations	Tabled (passed 12-6);				
SB 186	SB186 : An Act to, make an appropriation for behavioral and mental health service support in crisis stabilization and to declare an emergency.	1	Support		Sen. Curd and Rep. Healy	Joint Committee on Appropriations	Do Pass (passed 14-4);	Senate Do Pass (passed 34-1);	Referral to committee waived pursuant to JR 6D-1 H.J. 500		House Do Pass (passed 59-10);
SB 195	SB195 : An Act to, appropriate money for the ordinary expenses of the legislative, judicial, and executive departments of the state, the current expenses of state institutions, interest on the public debt, and for common schools.	1	Support		The Committee on Appropriations	Joint Committee on Appropriations	Do Pass (passed 18-0);	House Do Pass (passed 61-8);	Waived Pursuant to JR 6D-1 H.J. 562		Senate Do Pass (passed 34-0);