

SOUTH DAKOTA BOARD OF REGENTS

Planning, Governance, and Resource Development

AGENDA ITEM: 5 – H

DATE: April 2-4, 2019

SUBJECT

2019 Legislative Overview

CONTROLLING STATUTE, RULE, OR POLICY

[BOR Policy 1:5, Section C.2 \(2.10\).](#)

BACKGROUND / DISCUSSION

The 2019 South Dakota Legislature ended with Veto Day March 29, 2019. This agenda item provides a brief, high-level review of major legislative activity in the session just concluded.

IMPACT AND RECOMMENDATIONS

In a legislative session marked by opportunities and challenges, public higher education and the special schools advanced six BOR-sponsored bills, created a basis for legislative understanding of the Board’s priority on need-based grant support, and defended against several bills unfavorable to the system.

The Fiscal Year 2020 budget was set in the closing days of session with little fanfare. The system secured additional support for maintenance and repair of campus buildings, along with \$100,000 in yearly funding for a new research park in Rapid City. Overall, the Regents’ system secured an additional 1.7 percent in base general funding, along with the state salary policy of 2.5 percent for all employees. Detail about approved budgets can be found in Board agenda items, *FY19 General Bill Amendments* and *FY20 Budget Summary*.

Six of seven bills filed on behalf of the Board of Regents were approved by the legislature and signed by the Governor. Bills passed were:

1. **House Bill 1037** – Authorize construction of a regional sports complex at NSU.
2. **House Bill 1038** – Demolish Scobey Hall at SDSU.
3. **House Bill 1045** – Redefine campus security officers for South Dakota Retirement System purposes.

(Continued)

INFORMATIONAL ITEM

4. **Senate Bill 40** – Authorize transfer of Animal Disease Research and Diagnostic Laboratory property at SDSU to the Animal Industry Board.
5. **Senate Bill 43** – Redirect funding to a collaborative program in rural veterinary medicine education at SDSU and provide tax revenue to support veterinary students.
6. **Senate Bill 44** – Authorize sale and purchase of certain real property for the benefit of SDSU.
 - This bill was signed by the Governor Feb. 20. Since the measure carries an emergency clause, it was effective immediately upon her signature.
 - A seventh bill, Senate Bill 41 to redirect savings from capital project bond refinancing to the Higher Education Facilities Fund (HEFF), was tabled in committee at the request of our office.

Other bills of interest to the BOR system this session were:

- **House Bill 1087**, to promote free speech and intellectual diversity at certain institutions of higher education. With Senate amendments crafted by the Board office and placed on the bill, the House concurred 55-11 and sent the amended bill to the Governor.
- **Senate Bill 116**, to create the Dakota promise fund and provide Dakota promise grants. It failed to get two-thirds' support on the House floor; the vote was 37-28 but it needed 47 to pass. However, the discussion among lawmakers and appropriators this session raised awareness of the importance of needs-based grant aid for our most deserving students. This serves us well as we work to revise the proposal, promote this as a top priority of the Board, and seek future authority to move forward.
- **Senate Bill 122**, to restrict policies governing campus firearms possession. Failed 10-24 on the Senate floor.
- **Senate Bill 140**, to encourage increased enrollment and support for South Dakota tribal members at BOR institutions. The amended bill requires annual reports, beginning in July 2020, from BOR on activities and progress in this area. The Senate agreed to House amendments on a 32-0 vote and sent the amended bill to the Governor.