

SOUTH DAKOTA BOARD OF REGENTS

Consent

AGENDA ITEM: 4 – W

DATE: April 1, 2020

SUBJECT

2020 Legislative Overview

CONTROLLING STATUTE, RULE, OR POLICY

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

BACKGROUND / DISCUSSION

The 2020 South Dakota Legislature ended with Veto Day on March 30, 2020. This agenda item provides a brief, high-level review of major legislative activity in the session just concluded.

IMPACT AND RECOMMENDATIONS

IMPORTANT NOTE: This item was prepared at the close of the main run of the legislative session March 11. The information summarized here is based on status of the state budget, and bills passed and delivered to the Governor, as of that date. Due to the COVID-19 pandemic and its rapidly changing impacts on the state, it is probable that the Legislature will make additional adjustments to the state budget and address other measures when lawmakers convene for Veto Day March 30.

Looking at the entirety of the 2020 legislative session, positive outcomes were realized for public higher education and the special schools. While securing state-level, need-based student aid, known as Dakota’s Promise, remains a top priority for the Board, many other constructive actions were taken.

In the closing days of session, a \$5 million one-time state appropriation was secured, as recommended by Gov. Noem, for the proposed University of South Dakota School of Health Sciences building. Additionally, there were several one-time budget adjustments benefitting higher education that were unexpected, but welcome. This includes additional funds for the Research, Education and Economic Development (REED) Network, Mad Labs security at Dakota State University, equipment for the new Ascent Innovation research park in Rapid City, and critical teaching needs scholarships. More detail about the Board of Regents’ budget is found in other agenda items.

(Continued)

INFORMATIONAL ITEM

State maintenance and repair on all (including BOR) buildings was reduced to 1.6 percent of replacement value, in part to secure general funds to offer 2 percent adjustments for state employees' salary policy, the K-12 education funding formula, and Medicaid providers.

All seven bills filed on behalf of the Board of Regents were approved by the legislature. They are:

1. **Senate Bill 40** – Authorize construction of USD Health Sciences facility, appropriate \$5 million toward construction, and demolish Julian Hall and Addition.
2. **Senate Bill 41** – Authorize construction of USD facilities building.
3. **Senate Bill 42** – Authorize construction of USD grounds facility and demolish three storage structures.
4. **Senate Bill 43** – Authorize bonding for maintenance and repair of BOR facilities.
5. **House Bill 1044** – Appropriate \$396,073 for development of the Cyber Incubator and Entrepreneurial Center at DSU.
6. **House Bill 1045** – Authorize E.Y. Berry Library renovations and addition at Black Hills State University.
7. **House Bill 1046** – Authorize Devereaux Library renovations and addition at South Dakota School of Mines & Technology.

Other bills of interest that received final approval:

- **House Bill 1227** – Appropriate \$550,000 in one-time funds to support South Dakota State University's rural veterinary medical education program, a collaboration with the University of Minnesota.
- **House Bill 1100** – Appropriate \$1 million in one-time funds for research and development of a new bioprocessing facility, in collaboration with SDSU and SD Mines.
- **Senate Bill 55** – Establish an 11-member task force to study the operations and functions of the public universities. The task force will include four legislators from the Joint Appropriations Committee. Its report is due Nov. 21, 2021.
- **Senate Bill 147** – Prohibit collective bargaining by employees of the six public universities.
- **Senate Bill 142** – Prohibit students enrolled in the state's dual credit program from participating further if they receive a failing grade or withdraw from a course. Board officials may reinstate students if they demonstrate good cause for failing or withdrawing, or if they retake and pass the course at their own expense. The dual credit program may not be used for remedial courses.
- **House Bill 1081** – Allow postsecondary institutions to produce a limited amount of alcoholic beverages for classroom instruction or research purposes.
- **House Bill 1228** – Require the Department of Education, beginning in July 2021, to annually report the number of enrolled students, birth to age 21, regardless of disability status, who have a documented hearing loss of 35 decibels or more.

ATTACHMENTS

None