

**BOARD OF REGENTS
MINUTES OF THE MEETING
February 9, 2018**

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**BOARD OF REGENTS
MINUTES OF THE MEETING
Board of Regents Central Office (Teleconference)
Pierre, South Dakota
February 9, 2018**

The South Dakota Board of Regents convened by teleconference at 4 p.m. Central Time on February 9, 2018 with the following members in attendance:

ROLL CALL:

Conrad Adam – ABSENT
John Bastian, Secretary – PRESENT
Jim Morgan – ABSENT
Pam Roberts – PRESENT
Randy Schaefer – ABSENT
Jim Thares – PRESENT
Joan Wink – PRESENT
Kevin Schieffer, Vice President – ABSENT
Bob Sutton, President – PRESENT

Also present were members of the system office and other members of the regental system.

Regent Sutton called the public meeting of the Board of Regents to order at 4 p.m. and declared a quorum present.

APPROVAL OF THE AGENDA

IT WAS MOVED by Regent Wink, seconded by Regent Roberts, to approve the agenda as published.

ROLL CALL:

Adam – ABSENT
Bastian – AYE
Morgan – ABSENT
Roberts – AYE
Schaefer – ABSENT
Thares – AYE
Wink – AYE
Schieffer – ABSENT
Sutton – AYE

Motion passed.

2018 LEGISLATIVE SESSION UPDATE

Dr. Janelle Toman, System Director of Communications, provided a brief update on bills of interest during the 2018 Legislation Session.

Unsuccessful bills:

- **SB103** (prohibit undocumented students from attending any public postsecondary institution and from receiving financial assistance) was killed 5-2 in committee on Thursday, February 8.
- **SB87** (regulating possession of firearms in gun-free zones) was killed on the Senate floor 16-19 on Wednesday, January 31. An identical bill (**HB1271**) awaits action in the House.
- **HB1122** (require legislative approval for tuition and fee increases at higher education institutions) was killed 9-3 in committee Monday, February 5.
- **HB1232** (eliminate state support for the high school dual credit program) was amended to continue subsidies for low-income students only, but bill was eventually killed 5-4 in committee on Thursday, February 8.
- **HB1073** (free speech on campuses) was killed in committee last Friday, February 2 and a smoke-out attempt to revive the bill on the House floor was unsuccessful Tuesday, February 6. An identical bill (**SB198**) awaits action in the Senate.

Bills making their way through the legislative process:

- **HB1199** (prohibit BOR employees from engaging in collective bargaining) passed 8-5 in committee on Wednesday, February 7. The bill is pending debate on the House floor, which will likely take place on Monday, February 12.

Bills pending in committee or have not yet had a hearing:

- **SB198** (another ‘free speech on campus’ bill identical to the killed HB1073) – There is a hoghouse amendment circulating, which will be placed on this bill when it is heard in Senate Education later this month. We will continue to be opposed.
- **HB1299** (another gun-free zones bill identical to the killed SB87) – Pending action in the House Judiciary Committee. We will continue to be opposed.
- There are three bills filed dealing with the SDSU precision agriculture project (two are identical and authorize the project: **HB1264** and **SB183**, plus precision agriculture building fund is created in **SB194**). The House bill is pending a hearing in House State Affairs Committee, while the two Senate bills are yet to be heard in Senate Agriculture & Natural Resources Committee.

Status on all 17 Board of Regents’ bills:

- These bills have been signed by the Governor:
 - **HB1057** (DSU Madison Cyber Labs)
 - **HB1064** (School for the Deaf property use/disposition in Sioux Falls)
 - **SB48** (acquire Ag Experiment Station property for SDSU near Sturgis)
 - **SB52** (demolish old swine unit property at SDSU)
- These bills are through the process and awaiting Governor’s signature:
 - **HB1060** (renovate USD Dakota Dome)
 - **HB1061** (construct athletic fields at NSU)

- **HB1062** (purchase Aberdeen property for NSU parking lot)
- **HB1063** (remove acreage restriction on USD research park in Sioux Falls)
- **HB1065** (construct addition to National Music Museum at USD)
- **HB1071** (construct new School for the Blind facility)
- **SB49** (acquire Ag Experiment Station property for SDSU in Brookings County)
- These bills need one more vote for final passage (could happen on House floor as early as Monday, February 12):
 - **SB47** (extend expenditure authority for USD sports arena)
 - **SB50** (construct SDSU American Indian Student Center)
 - **SB51** (construct SDSU athletic support facility)
 - **SB53** (sell property/acquire property for SDSU West River Ag Center)
- This bill is still pending in the committee process:
 - **HB1058** (employment standards for special schools' superintendent) – The bill is completely through the House (64-2), pending action in the Senate Education Committee.
- This bill has been killed:
 - **HB1059** (amend Fraudulent Transfers Act for payment of higher education expenses) – This bill was Deferred to the 41st day 11-2 on Wednesday, February 7.

At the conclusion of the status report on bills, Regent Sutton explained that he was recently on a local radio show in Sioux Falls about collective bargaining. He reiterated during the interview that the BOR did not take a position on HB1199 but it has concerns about the bill especially as it relates to recruitment and retention of faculty.

Regent Sutton also requested that the monitor prepared by the BOR office, while helpful, would be even more so if it also indicated the Board's position (or no position). He suggested this be done by color coding the title of the bill in green if proponent and red if opponent.

Regent Wink expressed her appreciation for the work of all involved in the legislative process.

Regent Sutton agreed and indicated that this was a very successful week.

Lastly, Dr. Toman alerted all to the fact that the state revenue projections will be discussed at 8 a.m. on Monday, February 12. The next day the legislature will adopt the revenue projections, which will indicate whether there are any additional funds for priorities such as a limited salary increase for state employees or other needs.

ADJOURN

IT WAS MOVED by Regent Thares, seconded by Regent Wink, to adjourn the meeting of the full Board at 4:30 p.m.

ROLL CALL:

Adam – ABSENT
Bastian – AYE

Morgan – ABSENT
Roberts – AYE
Schaefer – ABSENT
Thares – AYE
Wink – AYE
Schieffer – ABSENT
Sutton – AYE

Motion Passed. Meeting adjourned.

The South Dakota Board of Regents adjourned its special meeting on February 9, 2018 and will meet again in regular session on March 27-29, 2018 in Spearfish, South Dakota.

I, Mike Rush, Executive Director and CEO of the South Dakota Board of Regents, declare that the above is a true, complete and correct copy of the minutes of the Board of Regents meeting held on February 9, 2018.

A handwritten signature in black ink that reads "Mike Rush". The signature is written in a cursive, flowing style.

Mike Rush
Executive Director and CEO