

Greetings:

It was a true pleasure to serve as the SDLA's lobbyist during the 2019 legislative session. During the 2019 legislative session we reviewed all 584 pieces of legislation (463 bills, 121 resolutions and commemorations) that were introduced for their impact on libraries and librarians. The following is an overview of lobbying activities during the legislative session and continuing plans to educate legislators, the executive branch, and other decision makers:

### **State Employee/Board of Regents/K-12 Funding**

The following are a few highlights from the adopted state budget:

1. Funding for the state library was kept level at \$3,216,957.00 with 22.5 FTE;
2. Education funding increased 2.5%;
3. State employee base pay increased 2.5%; and,
4. The legislature did not adopt a proposal that state employees start contributing to health insurance costs.

### **2018 Session Bills:**

Although not all-inclusive of the bills monitored, the following is an overview of the key bills that the SDLA monitored or took a position on:

- HB 1048 – Act to authorize a public body to conduct certain deliberations in an executive or closed meeting.
  - HB 1048 allows the discussion related to the security of public or private property or person (as further described in SDCL 1-27-1.5(8)) and emergency or disaster response plans or protocols (as further described in SDCL 1-27-1.5(17)) to be conducted in executive session.
- HB 1058 - An Act to require the provision of certain services regarding special education to students receiving alternative instruction.
  - HB 1058 would have required additional state support for students attending private schools. HB 1058 was deferred to the 41<sup>st</sup> Day by the House Education Committee on an 8 to 7 vote.
- HB 1087 An Act to promote free speech and intellectual diversity at certain institutions of higher education.
  - HB 1087, which was signed by the Governor, requires public institutes of higher education to establish outdoor areas within their boundaries for students, faculty, administrators, other employees, and their invited guests to engage in expressive activity. The public institution may place reasonable time, place, and manner restrictions on the use of such outdoor areas. In addition, funds allocated to student organizations are required to be distributed in a nondiscriminatory manner and access to and use of facilities made equally available to all student organizations, regardless of the ideological, political, or religious beliefs of the organization.
- HB 1113 - An Act to establish certain provisions regarding ethics and responsibility for public elementary and secondary school teachers.
  - (Deferred to 41st Day, 10-3) HB 1113 would have placed additional restrictions on what could be taught in classes, discussed or advocated by teachers, and teacher ability to state positions on laws, court cases, administrative decisions, etc.

- HB 1232 – An Act to lower the compulsory age for school attendance.
  - HB 1232 would have lowered the compulsory age of school attendance from 18 to 16. It failed to pass the House of Representatives on a 27 to 40 vote.
- HCR 1002 – A Concurrent resolution requesting that local school boards establish a code of ethics and professional responsibility for educators in public elementary and secondary schools.
  - This resolution, withdrawn at the request of the prime sponsor, would have requested local school boards to establish additional codes of ethics and responsibilities with restrictions as more-fully set forth in the resolution.
- SB 3 - An Act to create the Special Education Interim Legislative Committee.
  - SB 3, signed by the Governor, creates an interim committee of legislators and other involved parties to review multiple issues related to special education instruction.
- SB 23 - An Act to revise certain references to repealed or obsolete provisions regarding the Department of Education.
  - SB 23, signed by the Governor, was a style and form revision of statutes related to the Department of Education into a more logical and user-friendly manner.
- SB 122 - An Act to restrict the enactment of policies governing the possession of firearms at public institutions of higher education.
  - The SDLA joined other education-related groups in opposing SB 122 which would have allowed the concealed carry of firearms on college campuses. SB 122 failed to pass the Senate on a vote of 10-24.
- HB 1175 – An Act to establish the Early Learning Advisory Council.
  - HB 1175 would have created a council to review and study issues related to early childhood education programs. The bill was deferred to the 41<sup>st</sup> legislative day on a 9 to 2 vote.
- Civics Instruction and Testing - Multiple proposals were introduced requiring high school and/or college students to pass a form of the US Immigration test prior to graduating from High School.
  - None of the proposals passed.
- Gender Identity – Multiple bills were once again introduced related to the gender identity of K-12 students.
  - HB 1108 – An Act to prohibit certain gender dysphoria instruction in public schools.
    - Deferred to the 41st Legislative Day on a 7-2 vote in Senate State Affairs.
  - HB 1225 – An Act to establish a determinant in identifying a student's sexual identity for the purpose of participation in high school athletics.
    - Failed to pass the House of Representatives on a 34-34 vote.
  - SB 49 – An Act to declare void the transgender procedure adopted by the South Dakota High School Activities Association and to establish a determinant in identifying a student's sexual identity for the purpose of participation in high school athletics.
    - Deferred to the 41st Legislative Day on a 5-2 vote by Senate Education Committee.
- Discussion on banning certain books - There were a few legislators who discussed banning certain book(s), namely, “The Bluest Eye” by Toni Morrison.

### **2019 Legislative Day**

The 2019 Legislative Day, held February 12<sup>th</sup>, was a success with approximately 30 to 45 legislators along with representatives of the executive branch and constitutional officers attending. Of particular use to our lobbying efforts was the connection made by those librarians that attended the Legislative Day with their legislators. Legislators were appreciative of the opportunity to speak with librarians from their district. Please plan to attend the 2020 Legislative Day.

### **Ongoing Educational Efforts**

Continue speaking with local, legislative, and gubernatorial officials about all of the great services you and your libraries provide to your communities. This summer the SDLA will also be sending a letter to legislators informing them of current services, trends, and the importance of libraries.

### **Conclusion**

I thoroughly enjoy the opportunity to again lobby on behalf of the SDLA. As always, please do not hesitate to contact me if you have any questions or if I can be of other assistance.

Best regards,  
Eric