

JOURNAL OF THE SENATE

NINETIETH SESSION

SEVENTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Thursday, January 22, 2015

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Rev. Josh Baumann, followed by the Pledge of Allegiance led by Senate page Meghan Schenk.

Roll Call: All members present except Sen. Curd who was excused.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the sixth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Corey Brown, Chair

Which motion prevailed.

1 **REPORTS OF STANDING COMMITTEES**

2 MR. PRESIDENT:

3 The Committee on Judiciary respectfully reports that it has had under consideration SB 13
4 and returns the same with the recommendation that said bill do pass.

5 Also MR. PRESIDENT:

6 The Committee on Judiciary respectfully reports that it has had under consideration SB 29
7 and returns the same with the recommendation that said bill do pass and be placed on the
8 consent calendar.

9 Also MR. PRESIDENT:

10 The Committee on Judiciary respectfully reports that it has had under consideration SB 11
11 and returns the same with the recommendation that said bill be amended as follows:

12 11fa

13 On page 1, line 7, of the printed bill, delete ",".

14 On page 1, delete line 8, and insert "or the deputy chief agent,".

15 11fta

16 On page 1, line 2, of the printed bill, delete "or the superintendent of the Highway Patrol
17 or their deputies".

18 And that as so amended said bill do pass.

19 Respectfully submitted,
20 Craig Tieszen, Chair

21 **REPORT OF JOINT-SELECT COMMITTEE**

22 MR. PRESIDENT:

23 Your Joint-Select Committee appointed on joint rules respectfully reports that it has had
24 under consideration the joint rules and recommends that the joint rules adopted in March 2014
25 by the Eighty-ninth Legislative Session be adopted as the joint rules of the Ninetieth Legislative
26 Session with the following changes:

1 Amend the Table of Contents of the Joint Rules as follows:

2 **JOINT RULES**
3 **Table of Contents**

- 4 **CHAPTER 1. PRESIDING OFFICER - ORDER AND DEBATE**
- 5 **CHAPTER 1A. DECORUM**
- 6 **CHAPTER 1B. LEGISLATIVE CODE OF CONDUCT**
- 7 **CHAPTER 2. MEETINGS, QUORUMS, AND ATTENDANCE**
- 8 **CHAPTER 3. LEGISLATIVE EMPLOYEES**
- 9 **CHAPTER 4. ORDER OF BUSINESS**
- 10 **CHAPTER 5. MOTIONS**
- 11 **CHAPTER 6. BILLS, RESOLUTIONS, AND COMMEMORATIONS**
 - 12 **A. FORM OF BILLS - DEFINITIONS OF RESOLUTIONS -**
 - 13 **GENERAL PROVISIONS**
 - 14 **B. INTRODUCTION AND SPONSORSHIP**
 - 15 **C. FISCAL IMPACT STATEMENTS, FISCAL NOTES, AND**
 - 16 **ACTUARIAL STATEMENTS**
 - 17 **D. FIRST READING AND REFERRAL**
 - 18 **E. AMENDMENTS AND SUBSTITUTE BILLS**
 - 19 **F. SECOND READING**
 - 20 **G. PRINTING, ENGROSSING, AND ENROLLING**
 - 21 **H. COMMEMORATIONS**
 - 22 **I. COMPUTERIZED INFORMATION SYSTEM**
- 23 **CHAPTER 7. COMMITTEES**
- 24 **CHAPTER 8. CONFERENCE COMMITTEES**
- 25 **CHAPTER 9. COMMITTEE OF THE WHOLE**
- 26 **CHAPTER 10. JOURNAL**
- 27 **CHAPTER 11. RULES**
- 28 **CHAPTER 12. VOTING REQUIREMENTS AND PROCEDURE**
- 29 **CHAPTER 13. CONSENT CALENDAR**
- 30 **CHAPTER 14. EFFECTIVE DATE OF LEGISLATION AND VETO**
- 31 **CONSIDERATIONS**
- 32 **CHAPTER 15. INTERHOUSE COMMUNICATIONS AND TRANSMISSIONS**
- 33 **CHAPTER 16. JOINT SESSION**
- 34 **CHAPTER 17. LEGISLATIVE DEADLINES**

35 Amend Chapter 6 of the Joint Rules as follows:

36 **C. FISCAL IMPACT STATEMENTS, FISCAL NOTES AND ACTUARIAL**
37 **STATEMENTS**

38 **STATUTORY PROVISIONS**

39 **§ 2-1-19. Fiscal impact statement for legislation or ballot initiative that may impact state**
40 **prison or county jail populations.**

1 A fiscal impact statement shall be attached to any bill or amendment or measures proposed by
 2 ballot initiative that may impact state prison or county jail populations. The requirement for
 3 a fiscal impact statement includes those bills or amendments that increase the periods of
 4 imprisonment authorized for existing crimes, that add new crimes for which imprisonment is
 5 authorized, that impose minimum or mandatory minimum terms of imprisonment, or that modify
 6 any law governing release of prisoners from imprisonment or supervision.

7 The sponsor of such legislation or such ballot initiative shall request and allow sufficient time
 8 to prepare a fiscal impact statement from the Bureau of Finance and Management or the
 9 Legislative Research Council. The fiscal impact statement shall be completed no later than the
 10 day the bill is submitted to the committee with subject matter cognizance. Any ballot initiative
 11 shall have a fiscal impact statement attached to the Attorney General's statement required
 12 pursuant to § 12-13-9 or 12-13-25.1.

13 **§ 2-1-20. Contents of fiscal impact statement.**

14 A fiscal impact statement pursuant to § 2-1-19 shall include the following:

15 (1) An analysis of the specific components of the bill or the ballot initiative
 16 that will impact the prison and jail population;

17 (2) The projected cost of the impact of the bill on the state prison system and
 18 the aggregate cost to county jails on an annual basis and cost of the bill over
 19 a ten year period; and

20 (3) Operational costs and capital costs including all manner of construction.

21 **RULES**

22 **6C-1.2. Certain bills require fiscal note.** The Director of the Legislative Research Council
 23 shall prepare a fiscal note for any bill which amends session law to affect the General
 24 Appropriations Act enacted in a prior legislative session.

25 **6D-1. Referral of bills and resolutions to standing committees.** Unless otherwise ordered,
 26 all bills and joint resolutions, except the general appropriations bill, shall be referred to a
 27 standing committee after their first reading. The presiding officer may waive the referral to
 28 standing committee of concurrent resolutions. Copies of all concurrent resolutions shall be
 29 distributed to each member posted to the Legislative Research Council internet site before being
 30 acted upon.

31 **G. PRINTING, ENGROSSING, AND ENROLLING**

32 **STATUTORY PROVISIONS**

33 ~~**§ 2-7-13. Selection of printing process and contractor for bills and resolutions.**~~

34 ~~The Bureau of Administration, in consultation with the Legislative Research Council, shall,~~
 35 ~~before the commencement of any session of the Legislature, determine whether the house and~~

1 ~~senate bills and joint resolutions of the legislative session will be printed by a private~~
 2 ~~contractor, and select the printing process to be used, or whether the documents will be~~
 3 ~~prepared by the use of a duplicating process.~~

4 Amend Chapter 10 of the Joint Rules as follows:

5 **10-1. Daily journal.** A journal of each house shall be made available daily ~~and laid upon the~~
 6 ~~desks of the members and officers by posting to the~~ Legislative Research Council internet site
 7 by the following morning. The journal need not be read unless ordered. The secretary of the
 8 Senate and the chief clerk of the House shall report on the correctness of the journal to the
 9 committees on legislative procedure. The committees on legislative procedure shall in turn
 10 report to their respective houses.

11 The joint rules and the rules of the Senate and House shall be printed in the Senate Journal.

12 Respectfully submitted,
 13 Dean Wink
 14 Brian Gosch
 15 Spencer Hawley
 16 House Committee

Respectfully submitted,
 Corey Brown
 Tim Rave
 Billie Sutton
 Senate Committee

17 **MESSAGES FROM THE HOUSE**

18 MR. PRESIDENT:

19 I have the honor to transmit herewith HB 1014 and 1045 which have passed the House and
 20 your favorable consideration is respectfully requested.

21 Respectfully,
 22 Arlene Kvislen, Chief Clerk

23 **MOTIONS AND RESOLUTIONS**

24 Sen. Rave moved that SB 34 and 67 be placed to follow SB 68 on today's calendar.

25 Which motion prevailed.

26 Sen. Rave moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
 27 Friday, January 23, the eighth legislative day.

28 Which motion prevailed.

1 **CONSIDERATION OF REPORTS OF COMMITTEES**

2 Sen. Rave moved that the reports of the Standing Committees on
3 Health and Human Services on SB 14 as found on page 74 of the Senate Journal; also
4 Taxation on SB 20 as found on page 73 of the Senate Journal; also
5 Local Government on SB 65 as found on page 75 of the Senate Journal; also
6 Local Government on SB 66 as found on page 75 of the Senate Journal be adopted.
7 Which motion prevailed.

8 **CONSIDERATION OF EXECUTIVE APPOINTMENTS**

9 The Senate proceeded to the consideration of the executive appointment of Joseph Scharz
10 of Minnehaha County, Humboldt, South Dakota, to the State Board of Regents.

11 The question being "Does the Senate advise and consent to the executive appointment of
12 Joseph Scharz pursuant to the executive message as found on page 44 of the Senate Journal?"

13 And the roll being called:

14 Yeas 34, Nays 0, Excused 1, Absent 0

15 Yeas:

16 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
17 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
18 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
19 (Jim); Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
20 Vehle; White

21 Excused:

22 Curd

23 So the question having received an affirmative vote of a majority of the members-elect,
24 the President declared the appointment confirmed.

25 **CONSIDERATION OF CONSENT EXECUTIVE APPOINTMENTS**

26 The Senate proceeded to the consideration of the executive reappointment of John Calvin
27 of Codington County, Watertown, South Dakota, to the Board of Economic Development.

1 The question being "Does the Senate advise and consent to the executive reappointment
2 of John Calvin pursuant to the executive message as found on page 44 of the Senate Journal?"

3 And the roll being called:

4 Yeas 34, Nays 0, Excused 1, Absent 0

5 Yeas:

6 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
7 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
8 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
9 (Jim); Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
10 Vehle; White

11 Excused:

12 Curd

13 So the question having received an affirmative vote of a majority of the members-elect,
14 the President declared the reappointment confirmed.

15 The Senate proceeded to the consideration of the executive reappointment of Greg
16 Heineman of Minnehaha County, Sioux Falls, South Dakota, to the Board of Economic
17 Development.

18 The question being "Does the Senate advise and consent to the executive reappointment
19 of Greg Heineman pursuant to the executive message as found on page 43 of the Senate
20 Journal?"

21 And the roll being called:

22 Yeas 34, Nays 0, Excused 1, Absent 0

23 Yeas:

24 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
25 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
26 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
27 (Jim); Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
28 Vehle; White

29 Excused:

30 Curd

31 So the question having received an affirmative vote of a majority of the members-elect,
32 the President declared the reappointment confirmed.

1 The Senate proceeded to the consideration of the executive reappointment of Tony Klein
2 of Hughes County, Pierre, South Dakota, to the Board of Economic Development.

3 The question being "Does the Senate advise and consent to the executive reappointment
4 of Tony Klein pursuant to the executive message as found on page 43 of the Senate Journal?"

5 And the roll being called:

6 Yeas 34, Nays 0, Excused 1, Absent 0

7 Yeas:

8 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
9 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
10 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
11 (Jim); Rempelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
12 Vehle; White

13 Excused:

14 Curd

15 So the question having received an affirmative vote of a majority of the members-elect,
16 the President declared there appointment confirmed.

17 The Senate proceeded to the consideration of the executive reappointment of Dana
18 Dykhouse of Minnehaha County, Sioux Falls, South Dakota, to the South Dakota Science and
19 Technology Authority.

20 The question being "Does the Senate advise and consent to the executive reappointment
21 of Dana Dykhouse pursuant to the executive message as found on page 45 of the Senate
22 Journal?"

23 And the roll being called:

24 Yeas 34, Nays 0, Excused 1, Absent 0

25 Yeas:

26 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
27 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
28 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
29 (Jim); Rempelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
30 Vehle; White

31 Excused:

32 Curd

33 So the question having received an affirmative vote of a majority of the members-elect,
34 the President declared the reappointment confirmed.

1 The Senate proceeded to the consideration of the executive reappointment of Ronald
2 Wheeler of Lawrence County, Lead, South Dakota, to the South Dakota Science and
3 Technology Authority.

4 The question being "Does the Senate advise and consent to the executive reappointment
5 of Ronald Wheeler pursuant to the executive message as found on page 42 of the Senate
6 Journal?"

7 And the roll being called:

8 Yeas 34, Nays 0, Excused 1, Absent 0

9 Yeas:

10 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
11 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
12 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
13 (Jim); Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
14 Vehle; White

15 Excused:

16 Curd

17 So the question having received an affirmative vote of a majority of the members-elect,
18 the President declared the reappointment confirmed.

19 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

20 SB 79 Introduced by: Senators Olson, Bradford, Brown, Frerichs, Greenfield (Brock),
21 Monroe, and Peterson (Jim) and Representatives Verchio, Brunner, Campbell, Feickert,
22 Kirschman, Langer, Marty, May, Otten (Herman), Qualm, and Stalzer

23 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the manner in
24 which county wheel taxes are imposed.

25 Was read the first time and referred to the Committee on Transportation.

26 SB 80 Introduced by: Senators Ewing, Brown, Haggar (Jenna), Hunhoff (Bernie), Jensen
27 (Phil), Monroe, Olson, Parsley, Rampelberg, Rave, Rusch, and Tieszen and Representatives
28 Romkema, Beal, Campbell, Feickert, Johns, May, Peterson (Kent), Rounds, and Schoenbeck

29 FOR AN ACT ENTITLED, An Act to increase the selling price of a towed vehicle that
30 exempts the seller of the vehicle from certain vehicle dealer licensing requirements.

31 Was read the first time and referred to the Committee on Transportation.

1 SB 81 Introduced by: Senators Omdahl, Bradford, Brown, Curd, Ewing, Frerichs,
2 Greenfield (Brock), Haggar (Jenna), Haverly, Heineman (Phyllis), Holien, Hunhoff (Bernie),
3 Jensen (Phil), Lederman, Monroe, Novstrup (David), Olson, Otten (Ernie), Parsley, Peters,
4 Peterson (Jim), Rampelberg, Rave, Rusch, Soholt, Solano, Sutton, Tidemann, Tieszen, Vehle,
5 and White and Representatives Haggar (Don), Anderson, Bolin, Craig, DiSanto, Hickey,
6 Langer, Mickelson, Novstrup (Al), Otten (Herman), Qualm, Rounds, Rozum, Schoenfish,
7 Stalzer, Stevens, Verchio, Wink, Wollmann, and Zikmund

8 FOR AN ACT ENTITLED, An Act to require persons convicted of driving a vehicle while
9 under influence of alcohol, drugs, or intoxicants to pay certain costs to the county.

10 Was read the first time and referred to the Committee on Local Government.

11 SB 82 Introduced by: Senators Tieszen, Brown, Buhl O'Donnell, Curd, Haverly, Novstrup
12 (David), Peters, Soholt, Solano, and Sutton and Representatives Bolin, Bartling, Gibson,
13 Hawley, Hunhoff (Jean), Johns, Langer, Rozum, Schoenbeck, Soli, and Stevens

14 FOR AN ACT ENTITLED, An Act to update outdated language related to domestic abuse.

15 Was read the first time and referred to the Committee on Judiciary.

16 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

17 HB 1014: FOR AN ACT ENTITLED, An Act to repeal certain obsolete and unnecessary
18 statutes relating to the Department of Environment and Natural Resources.

19 Was read the first time and referred to the Committee on Agriculture and Natural
20 Resources.

21 HB 1045: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
22 licensure of dentists and dental hygienists and registration of dental auxiliaries.

23 Was read the first time and referred to the Committee on Health and Human Services.

24 **SECOND READING OF CONSENT CALENDAR ITEMS**

25 Sen. Rave requested that SB 21 be removed from the Consent Calendar.

26 Sen. Rave requested that SB 30 be removed from the Consent Calendar.

1 SB 19: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
2 references to the Internal Revenue Code.

3 Was read the second time.

4 The question being "Shall SB 19 pass?"

5 And the roll being called:

6 Yeas 34, Nays 0, Excused 1, Absent 0

7 Yeas:

8 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
9 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
10 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
11 (Jim); Rempelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
12 Vehle; White

13 Excused:

14 Curd

15 So the bill having received an affirmative vote of a majority of the members-elect, the
16 President declared the bill passed and the title was agreed to.

17 SB 36: FOR AN ACT ENTITLED, An Act to repeal certain outdated and unnecessary
18 statutes and to update certain references related to the Department of Tourism.

19 Was read the second time.

20 The question being "Shall SB 36 pass as amended?"

21 And the roll being called:

22 Yeas 34, Nays 0, Excused 1, Absent 0

23 Yeas:

24 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
25 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
26 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
27 (Jim); Rempelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
28 Vehle; White

29 Excused:

30 Curd

31 So the bill having received an affirmative vote of a majority of the members-elect, the
32 President declared the bill passed and the title was agreed to.

1 SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

2 SB 32: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding veteran's
3 preference for all veterans who are United States citizens who seek employment with the state,
4 a county, or a municipality.

5 Was read the second time.

6 The question being "Shall SB 32 pass?"

7 And the roll being called:

8 Yeas 34, Nays 0, Excused 1, Absent 0

9 Yeas:

10 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
11 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
12 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
13 (Jim); Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
14 Vehle; White

15 Excused:

16 Curd

17 So the bill having received an affirmative vote of a majority of the members-elect, the
18 President declared the bill passed and the title was agreed to.

19 SB 61: FOR AN ACT ENTITLED, An Act to place certain substances on the controlled
20 substances schedule and to declare an emergency.

21 Was read the second time.

22 The question being "Shall SB 61 pass?"

23 And the roll being called:

24 Yeas 34, Nays 0, Excused 1, Absent 0

25 Yeas:

26 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
27 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
28 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
29 (Jim); Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
30 Vehle; White

1 Excused:
2 Curd

3 So the bill having received an affirmative vote of a two-thirds majority of the members-
4 elect, the President declared the bill passed and the title was agreed to.

5 SB 68: FOR AN ACT ENTITLED, An Act to provide for a random sampling of
6 nominating petition signatures for statewide offices.

7 Was read the second time.

8 The question being "Shall SB 68 pass?"

9 And the roll being called:

10 Yeas 34, Nays 0, Excused 1, Absent 0

11 Yeas:

12 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggard
13 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
14 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
15 (Jim); Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
16 Vehle; White

17 Excused:
18 Curd

19 So the bill having received an affirmative vote of a majority of the members present, the
20 President declared the bill passed and the title was agreed to.

21 Sen. Rave moved that SB 34 and 67 be deferred to Friday, January 23, the 8th legislative
22 day.

23 Which motion prevailed.

24 **COMMEMORATIONS**

25 SC 1 Introduced by: Senators Van Gerpen, Hunhoff (Bernie), Jensen (Phil), Monroe,
26 Rusch, Solano, Tieszen, and White and Representatives Peterson (Kent), Bolin, Hunhoff (Jean),
27 Qualm, Schoenfish, Stevens, and Wink

28 A LEGISLATIVE COMMEMORATION, Celebrating and honoring Tabor's Annual Czech
29 Days festivities on the occasion of its sixty-seventh anniversary on June 18, 19, and 20,
30 2015.

1 WHEREAS, Czech immigrants have enriched the culture of South Dakota with their
2 exceptional and traditional achievements in music, literature, and art, and are known for their
3 love of agriculture, mechanical arts, and democracy, which they strive to preserve for future
4 generations; and

5 WHEREAS, this year's Czech Days Royalty are Queen Liz Kubal, Princess Isabella Kreber,
6 and Prince Braden Beran; and

7 WHEREAS, Czech Days offers a variety of exhibits, attractions, events, and entertainment,
8 including the Czech Heritage Museum; Blachnik Museum; St. Wenceslaus Church; programs
9 for adults and children in Sokol Park; live Czech music in Beseda Hall; a variety of Czech
10 foods, including kolaches; a kolache baking demonstration; adult and youth parades; a craft fair;
11 a pedal tractor pull; a Tabor Bluebird baseball game; and the Rich Schild Memorial Fireworks
12 Display to start the celebration on the evening of June eighteenth:

13 NOW THEREFORE, BE IT COMMEMORATED, by the Ninetieth Legislature of the State
14 of South Dakota, that the Legislature recognizes all South Dakotans of Czech ancestry and
15 invites everyone to participate in the sixty-seventh Tabor Czech Days celebration on June 18,
16 19, and 20, 2015.

17 SC 2 Introduced by: Senators Van Gerpen, Hunhoff (Bernie), Monroe, Rusch, Solano,
18 Tieszen, and White and Representatives Schoenfish, Bolin, Hunhoff (Jean), Peterson (Kent),
19 Qualm, Stevens, and Wink

20 A LEGISLATIVE COMMEMORATION, Commending and honoring Dr. Curtis R. Johnson
21 as the 2014 USA Section President of the International College of Dentists, for his
22 dedicated volunteer service, and for his devotion to the medical profession.

23 WHEREAS, Dr. Curtis R. Johnson lives and practices dentistry in Scotland, South Dakota,
24 dedicating his time, wisdom, and talent to the medical profession by providing care to his
25 patients; and

26 WHEREAS, Dr. Johnson has served as President of the Southern District of Dental Society,
27 President of the South Dakota Dental Association, South Dakota delegate to the American
28 Dental Association House of Delegates, member of the Council of Government Affairs; and

29 WHEREAS, Dr. Johnson's services extend to the entire community by his active
30 participation in the Donated Dental Services Program, including donating over fifty-five
31 thousand dollars worth of free dental care to patients and serving as a member of the Donated
32 Dental Services Advisory Committee:

33 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninetieth Legislature of the State
34 of South Dakota, that Dr. Curtis R. Johnson is honored as the 2014 USA Section President of
35 the International College of Dentists, for his dedicated volunteer service, and for his devotion
36 to the medical profession.

1 Sen. Van Gerpen moved that the Senate do now adjourn, which motion prevailed and at
2 2:50 p.m. the Senate adjourned.

3 Kay Johnson, Secretary

4 **JOINT SESSION**

5 Pursuant to the report of the Joint-Select Committee, as found on page 47 of the Senate
6 Journal, the Senate and the House of Representatives met in informal joint session in the House
7 Chamber for the purpose of having a memorial service for deceased former members and
8 reading of the following Joint Memorial Resolution:

9 **WHEREAS**, the Great Ruler of the Universe has ordered a final adjournment in the
10 lives of eight former members of the South Dakota Legislature, namely: the *Honorable*
11 *Rodney Gutzler*; the *Honorable Robert A. Johnson*; the *Honorable James H. "Jack" Jones*;
12 the *Honorable Charles J. "Chuck" Mickel*; the *Honorable Wallace G. "Wally" Myers*; the
13 *Honorable Ralph Nachtigal*; the *Honorable Gregory A. "Greg" Peterson*; and the
14 *Honorable Benjamin "Ben" Radcliffe*; and

15 **WHEREAS**, in the lives of all these eminent public servants there was noted a
16 profound urgency in an unselfish manner, with trials and vicissitudes often far outweighing
17 honors, but with a consciousness that here in a land of freedom the dignity of the individual
18 is supreme, that justice must be dispensed, and that only by eternal vigilance and unrelenting
19 effort can self-government of a people be preserved; and

20 **WHEREAS**, it is fitting that we humbly honor the memory of those who have thus
21 contributed to the orderly process of government under the Constitution:

22 **NOW, THEREFORE, BE IT RESOLVED**, by the Senate and the House of
23 Representatives of the Ninetieth Session of the Legislature of the State of South Dakota duly
24 convened in recess session in recognition of the useful lives and unflinching devotion to the
25 interests of the State of South Dakota, as well as the rectitude of thought and action and
26 fidelity to the highest principles of American citizenship by these honorable people, that the
27 Senate and the House of Representatives do now pause in their labors out of respect for the
28 memory of their late fellow associates in the functions of government, and note that in their
29 passing, the state they have served so well has suffered a distinct loss, and though their
30 labors have ceased and they have been laid to rest, the people of this great state have
31 benefited greatly from the services rendered by them and they have left upon the sands of
32 time an inspiring record of devotion to their fellow citizens under the guiding hand of
33 Almighty God; and

34 **BE IT FURTHER RESOLVED**, that this Resolution be printed in the journals of the
35 Senate and the House of Representatives of the Ninetieth Session of the Legislature of the
36 State of South Dakota, now assembled this 22nd day of January, 2015, at Pierre, South
37 Dakota.

