

JOURNAL OF THE SENATE

NINETY-SEVENTH SESSION

THIRTIETH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, February 28, 2022

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

The prayer was offered by the Chaplain, Rev. Matt Spoden, followed by the Pledge of Allegiance led by Senate pages Logan Mueller and Jillian Navratil.

Roll Call: All members present.

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 29th 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,
Lee A. Schoenbeck, Chair

Which motion prevailed.

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REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Senate Committee on Appropriations respectfully reports that it has had under consideration **HB 1092 and 1137** and returns the same with the recommendation that said bills do pass.

Respectfully submitted,
Jean Hunhoff, Chair

MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration the nomination of Kellie Wasko of Hughes County, Pierre, South Dakota, to the position of Secretary of the Department of Corrections and returns the same with the recommendation that the Senate advise and consent to the confirmation of said appointment.

Also MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **HB 1124, 1125, and 1126** and returns the same with the recommendation that said bills do pass.

Also MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **SCR 606, and HB 1329** which were deferred to the 41st Legislative Day.

Respectfully submitted,
Gary L. Cammack, Chair

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **SB 4, 12, 14, 23, 27, 52, 64, 67, 73, 93, 135, and 176** and finds the same correctly enrolled.

Respectfully submitted,
Lee A. Schoenbeck, Chair

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that **SB 160, 171, and 190** were delivered to her Excellency, the Governor, for her approval at 2:50 p.m., February 25, 2022.

Respectfully submitted,
Lee A. Schoenbeck, Chair

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MESSAGES FROM THE HOUSE

2 MR. PRESIDENT:

3 I have the honor to transmit herewith **HCR 6009 and 6012** which have been adopted by the
4 House and your concurrence is respectfully requested.

5 Also MR. PRESIDENT:

6 I have the honor to return herewith **SB 4, 12, 14, 23, 27, 52, 64, 67, 73, 93, and 135** which
7 have passed the House without change.

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Respectfully,
Patricia Miller, Chief Clerk

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MOTIONS AND RESOLUTIONS

11 **HCR 6012:** A CONCURRENT RESOLUTION, urging the development of options for ensuring
12 continued visitation of patients and residents in nursing facilities and assisted living centers.

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

14 **HCR 6009:** A CONCURRENT RESOLUTION, commending Israel for its cordial and mutually
15 beneficial relationship with this State and the United States.

16 Was read the first time and the President waived the committee referral pursuant to JR 6D-1.

17

CONSIDERATION OF REPORTS OF COMMITTEES

18 Sen. Cammack moved that the reports of the Standing Committees on

19 Senate Appropriations on **HB 1014** as found on page 391 of the Senate Journal; also

20 Judiciary on **HB 1099, 1100, and 1176** as found on page 390 of the Senate Journal; and

21 Taxation on **HB 1284** as found on page 397 of the Senate Journal be adopted.

22 Which motion prevailed and the reports were adopted.

23

SECOND READING OF CONSENT CALENDAR ITEMS

24 **HB 1086:** FOR AN ACT ENTITLED, An Act to provide for the redistribution of donated
25 prescription drugs and medical supplies.

26 **HB 1115:** FOR AN ACT ENTITLED, An Act to allow succession to real property by an affidavit.

27 **HB 1120:** FOR AN ACT ENTITLED, An Act to include carbon dioxide and carbon dioxide capture
28 companies in certain provisions regarding pipeline taxation.

1 **HB 1121:** FOR AN ACT ENTITLED, An Act to revise certain provisions related to advanced life
2 support personnel.

3 **HB 1155:** FOR AN ACT ENTITLED, An Act to revise the compensation for a township board
4 member overseer.

5 **HB 1197:** FOR AN ACT ENTITLED, An Act to include certain costs as project costs for tax
6 increment financing districts.

7 **HB 1282:** FOR AN ACT ENTITLED, An Act to allow inpatient psychiatric facility placement
8 alternatives for certain patients.

9 **HB 1283:** FOR AN ACT ENTITLED, An Act to require the posting of laws regarding hospital,
10 nursing facility, and assisted living center visitation.

11 **HB 1285:** FOR AN ACT ENTITLED, An Act to create a critical care endorsement for emergency
12 medical technician-paramedics.

13 **HB 1292:** FOR AN ACT ENTITLED, An Act to regulate delta-8 tetrahydrocannabinol, THC-O
14 acetate, and hexahydrocannabinol for those under the age of twenty-one.

15 Were read the second time.

16 The question being "Shall **HB 1086, 1115, 1283, 1285, and 1292** pass as amended, and
17 **HB 1120, 1121, 1155, 1197, and 1282** pass?"

18 And the roll being called:

19 Yeas 35, Nays 0, Excused 0, Absent 0

20 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
21 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck,
22 Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
23 Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

24 So the bills having received an affirmative vote of a majority of the members-elect, the
25 President declared the bills passed and the titles were agreed to.

26 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

27 **SB 41:** FOR AN ACT ENTITLED, An Act to revise the appropriation for the construction of a
28 National Guard Readiness Center in Sioux Falls, for the purchase and exchange of property between
29 the state and the Sioux Falls Development Foundation, and to declare an emergency.

30 Was read the second time.

31 The question being "Shall **SB 41** pass as amended?"

32 And the roll being called:

33 Yeas 35, Nays 0, Excused 0, Absent 0

34 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
35 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck,
36 Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
37 Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

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

3 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

4 **HB 1020:** FOR AN ACT ENTITLED, An Act to authorize the Bureau of Administration to
5 construct an addition to the Kinsman Building in Pierre, to make an appropriation therefor, and to
6 declare an emergency.

7 Was read the second time.

8 The question being "Shall **HB 1020** pass?"

9 And the roll being called:

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

11 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
12 Foster, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher, Nesiba,
13 Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer,
14 Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

15 Nays: Frye-Mueller

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

18 **HB 1041:** FOR AN ACT ENTITLED, An Act to facilitate legislative oversight of settlement
19 agreements involving a state entity or official.

20 Was read the second time.

21 The question being "Shall **HB 1041** pass as amended?"

22 And the roll being called:

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

24 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
25 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck,
26 Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
27 Steinhauer, Sutton, Symens, Tobin, Wheeler, and Zikmund

28 Nays: Wiik

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

31 **HB 1300:** FOR AN ACT ENTITLED, An Act to provide for certain permissible dates for municipal
32 and school district elections.

33 Was read the second time.

1 The question being "Shall **HB 1300** pass as amended?"

2 And the roll being called:

3 Yeas 16, Nays 19, Excused 0, Absent 0

4 Yeas: Bolin, Cammack, Castleberry, Crabtree, Curd, Frye-Mueller, Brock Greenfield, Klumb,
5 Maher, Novstrup, Rohl, Schoenbeck, Stalzer, Steinhauer, Sutton, and Tobin

6 Nays: Breitling, Diedrich, Duhamel, Duvall, Foster, Heinert, Hunhoff, Johns, David Johnson,
7 Kolbeck, Nesiba, Herman Otten, Rusch, Schoenfish, V. J. Smith, Symens, Wheeler, Wiik, and
8 Zikmund

9 So the bill not having received an affirmative vote of a majority of the members-elect, the
10 President declared the bill lost.

11 **HB 1308:** FOR AN ACT ENTITLED, An Act to provide for the payment of signing bonuses to
12 school district staff members.

13 Was read the second time.

14 The question being "Shall **HB 1308** pass?"

15 And the roll being called:

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

17 Yeas: Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
18 Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher,
19 Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
20 Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

21 Nays: Bolin

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

24 **HB 1016:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to
25 disasters in the state and to declare an emergency.

26 Was read the second time.

27 The question being "Shall **HB 1016** pass?"

28 And the roll being called:

29 Yeas 35, Nays 0, Excused 0, Absent 0

30 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
31 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck,
32 Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
33 Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

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

1 **HB 1017:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to
2 suppression of wildfires in the state and to declare an emergency.

3 Was read the second time.

4 The question being "Shall **HB 1017** pass?"

5 And the roll being called:

6 Yeas 35, Nays 0, Excused 0, Absent 0

7 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
8 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck,
9 Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
10 Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

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

13 **HB 1030:** FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse certain health
14 care professionals who have complied with the requirements for certain health care recruitment
15 assistance programs and to declare an emergency.

16 Was read the second time.

17 The question being "Shall **HB 1030** pass as amended?"

18 And the roll being called:

19 Yeas 35, Nays 0, Excused 0, Absent 0

20 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
21 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck,
22 Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
23 Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

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

26 **HB 1034:** FOR AN ACT ENTITLED, An Act to make an appropriation from the coordinated
27 natural resources conservation fund to the State Conservation Commission and to declare an
28 emergency.

29 Was read the second time.

30 The question being "Shall **HB 1034** pass as amended?"

31 And the roll being called:

32 Yeas 35, Nays 0, Excused 0, Absent 0

33 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
34 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck,
35 Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
36 Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

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

3 **HB 1177:** FOR AN ACT ENTITLED, An Act to establish provisions regarding ejection of persons
4 from certain lodging establishments and recreational vehicle facilities.

5 Was read the second time.

6 The question being "Shall **HB 1177** pass as amended?"

7 And the roll being called:

8 Yeas 32, Nays 3, Excused 0, Absent 0

9 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
10 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Maher, Nesiba,
11 Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer,
12 Symens, Tobin, Wheeler, Wiik, and Zikmund

13 Nays: Klumb, Kolbeck, and Sutton

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

16 **HB 1119:** FOR AN ACT ENTITLED, An Act to revise the general state aid formula to provide
17 adjustment for alternative education students participating in interscholastic activities.

18 Was read the second time.

19 The question being "Shall **HB 1119** pass as amended?"

20 And the roll being called:

21 Yeas 27, Nays 8, Excused 0, Absent 0

22 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
23 Foster, Brock Greenfield, Hunhoff, Johns, David Johnson, Klumb, Maher, Novstrup, Herman Otten,
24 Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Steinhauer, Tobin, Wheeler, and Zikmund

25 Nays: Frye-Mueller, Heinert, Kolbeck, Nesiba, Stalzer, Sutton, Symens, and Wiik

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

28 **HB 1163:** FOR AN ACT ENTITLED, An Act to provide for the use of screening instruments in
29 determining kindergarten readiness.

30 Was read the second time.

31 The question being "Shall **HB 1163** pass as amended?"

32 And the roll being called:

33 Yeas 10, Nays 25, Excused 0, Absent 0

34 Yeas: Curd, Diedrich, Brock Greenfield, Maher, Rohl, V. J. Smith, Stalzer, Steinhauer, Sutton,
35 and Tobin

1 Nays: Bolin, Breitling, Cammack, Castleberry, Crabtree, Duhamel, Duvall, Foster, Frye-Mueller,
2 Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Nesiba, Novstrup, Herman Otten, Rusch,
3 Schoenbeck, Schoenfish, Symens, Wheeler, Wiik, and Zikmund

4 So the bill not having received an affirmative vote of a majority of the members-elect, the
5 President declared the bill lost.

6 **HB 1152:** FOR AN ACT ENTITLED, An Act to establish rights regarding the disposition of a
7 person's remains.

8 Was read the second time.

9 Sen. Brock Greenfield moved that **HB 1152** be amended as follows:

10 1152C

11 On page 1, line 15, of the Senate Commerce and Energy Engrossed bill, delete " section" and
12 insert " sections 1 and"

13 On page 1, line 15, of the Senate Commerce and Energy Engrossed bill, after "the" insert "
14 duty to bury, find a grave for, and provide the grave of the deceased person with a permanent
15 concrete, metal anchored in concrete, or stone marker, and the"

16 On page 2, line 25, of the Senate Commerce and Energy Engrossed bill, after "appointed;

17 (9) The " insert "person named as "

18 On page 2, line 25, of the Senate Commerce and Energy Engrossed bill, delete " of the estate"
19 and insert " in the last will and testament"

20 On page 3, line 5, of the Senate Commerce and Energy Engrossed bill, after "right" insert "
21 and duty"

22 On page 3, line 5, of the Senate Commerce and Energy Engrossed bill, after "right" insert "
23 and that duty"

24 On page 3, line 6, of the Senate Commerce and Energy Engrossed bill, after "right" insert "
25 and duty"

26 On page 3, line 14, of the Senate Commerce and Energy Engrossed bill, delete " decedent's
27 death" and insert " the date of possession of the decedent's remains by a funeral home"

28 On page 6, after line 5, of the Senate Commerce and Energy Engrossed bill, insert: "

29 **Section 8. That § 34-26-1 be AMENDED:**

30 **34-26-1.** Every person has the right to direct the manner in which his body or any part thereof
31 shall be disposed of after his death, and to direct the manner in which any part of his body which
32 becomes separated therefrom during his lifetime shall be disposed of. The provisions of §§ 34-26-4
33 to 34-26-7, inclusive, ~~of sections 2 to 7, inclusive, of this Act,~~ and of §§ ~~34-26-14 34-26-17~~ to 34-
34 26-19, inclusive, do not apply where such person has given directions for the disposal of his body
35 or any part thereof inconsistent with those provisions."

36 On page 6, after line 5, of the Senate Commerce and Energy Engrossed bill, insert: "

37 **Section 9. That § 34-26-17 be AMENDED:**

~~34-26-17. In case the person upon whom the right and duty of burial is first cast by the provisions of ~~§ 34-26-16 omits to~~ section 2 of this Act does not make ~~such~~ the burial within a reasonable time, the duty devolves upon the person next specified; and if all omit to act it devolves upon ~~the tenant, or if there is no tenant upon the owner of the premises or master, or if there is no master upon the owner of the vessel in which the death occurs or the body is found; and if all of these omit to act it devolves upon~~ the county of the legal residence of the deceased, and if no such residence is known, then upon the county where the body is first found ~~dead~~, and in all such cases ~~the said county shall have~~ has a legal preferred claim against the estate of the decedent for the actual expense incurred."~~

On page 6, after line 5, of the Senate Commerce and Energy Engrossed bill, insert: "

Section 10. That § 34-26A-2 be AMENDED:

~~34-26A-2. The authorizing agent is any person according to the priority established in ~~§ 34-26-16~~ section 2 of this Act legally entitled to order the cremation of human remains ~~including a spouse, a parent, a child, or a close relative of the deceased, or in the absence of any of these, a friend of the deceased.~~ For an indigent or any other individual whose final disposition is the responsibility of the state, a public official charged with arranging the final disposition of the deceased may serve as the authorizing agent. For an individual who has donated his body to science, or whose death occurred in a private institution, and in which the institution is charged with making arrangements for the final disposition of the deceased, a representative of the institution may serve as the authorizing agent."~~

On page 6, after line 5, of the Senate Commerce and Energy Engrossed bill, insert: "

Section 11. That § 55-11-1 be AMENDED:

~~55-11-1. Before a person's death, ~~he~~ the person or someone on ~~his~~ the person's behalf may direct the location, manner, and conditions of disposition of the person's remains, and the arrangements for funeral goods and services to be provided upon the person's death, and contract with another person for the purchase or rental of personal property or professional services for the final disposition of ~~his~~ the person's body. At least eighty-five percent of all money paid under the contract ~~shall~~ must be held in a revocable or an irrevocable trust, at the purchaser's option. The money ~~shall~~ must be held in trust until the obligation of the contract is fulfilled according to its terms or, if a revocable trust, the money is refunded to the person who made the payments."~~

On page 6, after line 5, of the Senate Commerce and Energy Engrossed bill, insert: "

Section 12. That § 34-26-16 be REPEALED:

~~The duty of burying the body of a deceased person and providing the grave with a permanent concrete, metal anchored in concrete, or stone marker devolves upon the persons hereinafter specified:~~

(1) — If the decedent was married the duty of burial devolves upon the husband or wife;

(2) — If the decedent was not married but left any kindred, the duty of burial devolves upon the person or persons in the same degree nearest of kin to the decedent, being of adult age, and within this state and possessed of sufficient means to defray the necessary expenses;

(3) — If the decedent left no husband or wife nor kindred answering the foregoing description, the duty of burial devolves upon the coroner conducting an inquest upon the body of the decedent, if any such inquest is held; if none, then upon the person charged with the support of the poor in the locality in which the death occurs."

Which motion prevailed.

1 The question being "Shall **HB 1152** pass as amended?"

2 And the roll being called:

3 Yeas 35, Nays 0, Excused 0, Absent 0

4 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
5 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck,
6 Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
7 Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

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

10 **HB 1047:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of
11 Education to improve and renovate the Cultural Heritage Center and to declare an emergency.

12 Was read the second time.

13 The question being "Shall **HB 1047** pass?"

14 And the roll being called:

15 Yeas 35, Nays 0, Excused 0, Absent 0

16 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
17 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck,
18 Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
19 Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

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

22 **HB 1110:** FOR AN ACT ENTITLED, An Act to revise a provision related to the appointment of
23 a guardian ad litem or a special advocate to represent an abused or neglected child.

24 Was read the second time.

25 The question being "Shall **HB 1110** pass as amended?"

26 And the roll being called:

27 Yeas 32, Nays 3, Excused 0, Absent 0

28 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Frye-
29 Mueller, Brock Greenfield, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher, Novstrup,
30 Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton,
31 Symens, Tobin, Wheeler, Wiik, and Zikmund

32 Nays: Foster, Heinert, and Nesiba

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

1 **HB 1021:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to acquire
2 property, contract for the design and construction of an athletics events center at Dakota State
3 University, to make an appropriation therefor, and to declare an emergency.

4 Was read the second time.

5 The question being "Shall **HB 1021** pass?"

6 And the roll being called:

7 Yeas 33, Nays 2, Excused 0, Absent 0

8 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
9 Foster, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Nesiba,
10 Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer,
11 Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

12 Nays: Frye-Mueller and Maher

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

15 **HB 1022:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the
16 design and renovation of, and construction of an addition to, the Stanley J. Marshall Center at South
17 Dakota State University, to make an appropriation therefor, and to declare an emergency.

18 Was read the second time.

19 The question being "Shall **HB 1022** pass?"

20 And the roll being called:

21 Yeas 33, Nays 2, Excused 0, Absent 0

22 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
23 Foster, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Nesiba,
24 Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer,
25 Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

26 Nays: Frye-Mueller and Maher

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

29 **HB 1023:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to demolish a
30 South Dakota State University building and to make an appropriation therefor.

31 Was read the second time.

32 The question being "Shall **HB 1023** pass as amended?"

33 And the roll being called:

34 Yeas 33, Nays 2, Excused 0, Absent 0

1 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
2 Foster, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Nesiba,
3 Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer,
4 Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

5 Nays: Frye-Mueller and Maher

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

8 **HB 1024:** FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions regarding
9 self-support tuition rates at off-campus locations governed by the Board of Regents.

10 Was read the second time.

11 The question being "Shall **HB 1024** pass?"

12 And the roll being called:

13 Yeas 32, Nays 2, Excused 1, Absent 0

14 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
15 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck,
16 Maher, Nesiba, Novstrup, Herman Otten, Rusch, Schoenbeck, Schoenfish, Stalzer, Steinhauer,
17 Symens, Tobin, Wheeler, Wiik, and Zikmund

18 Nays: Rohl and V. J. Smith

19 Excused: Sutton

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

22 **HB 1053:** FOR AN ACT ENTITLED, An Act to authorize counties to issue bonds for certain
23 expenditures funded by a gross receipts tax.

24 Was read the second time.

25 The question being "Shall **HB 1053** pass as amended?"

26 And the roll being called:

27 Yeas 4, Nays 30, Excused 1, Absent 0

28 Yeas: Johns, Novstrup, Herman Otten, and Steinhauer

29 Nays: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall,
30 Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, David Johnson, Klumb, Kolbeck, Maher,
31 Nesiba, Rohl, Rusch, Schoenbeck, Schoenfish, Stalzer, Sutton, Symens, Tobin, Wheeler, Wiik,
32 and Zikmund

33 Excused: V. J. Smith

34 So the bill not having received an affirmative vote of a two-thirds majority of the members-
35 elect, the President declared the bill lost.

1

SIGNING OF BILLS

2

The President publicly read the title to

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SB 4: FOR AN ACT ENTITLED, An Act to revise provisions related to a written certification for the medical use of cannabis.

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SB 12: FOR AN ACT ENTITLED, An Act to revise the annual report on medical cannabis by the Department of Health to the Legislature.

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SB 14: FOR AN ACT ENTITLED, An Act to revise provisions related to the confidential list of medical cannabis cardholders maintained by the Department of Health.

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SB 23: FOR AN ACT ENTITLED, An Act to revise the definition of bona fide practitioner-patient relationship.

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SB 27: FOR AN ACT ENTITLED, An Act to revise the provisions regarding the denial or nonrenewal of a patient registry identification card.

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SB 52: FOR AN ACT ENTITLED, An Act to make an appropriation for the replacement of the Richmond Lake spillway, for the general maintenance and repair of other state-owned dams, and to declare an emergency.

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SB 64: FOR AN ACT ENTITLED, An Act to make appropriations from the water and environment fund and its revolving fund subfunds for various water and environmental purposes and to declare an emergency.

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SB 67: FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of Game, Fish and Parks to improve and repair infrastructure around Lake Alvin and Newell Lake and to declare an emergency.

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SB 73: FOR AN ACT ENTITLED, An Act to provide for the use of artificial light and night-vision equipment while hunting coyotes and other predators.

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SB 93: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the use of epinephrine and supraglottic airway devices by ambulance services.

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SB 135: FOR AN ACT ENTITLED, An Act to revise provisions regarding agritourism liability.

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SB 176: FOR AN ACT ENTITLED, An Act to revise provisions regarding self-propelled agriculture units.

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HB 1001: FOR AN ACT ENTITLED, An Act to revise the freeze on assessments for dwellings of disabled and senior citizens.

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HB 1013: FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs related to Capitol Lake and to declare an emergency.

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HB 1018: FOR AN ACT ENTITLED, An Act to make an appropriation for the construction of a storage garage in Rapid City and to declare an emergency.

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HB 1019: FOR AN ACT ENTITLED, An Act to make an appropriation for the payment of extraordinary litigation expenses and to declare an emergency.

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HB 1037: FOR AN ACT ENTITLED, An Act to revise the penalty for certain willful violations by grain buyers and grain warehouse operators.

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HB 1060: FOR AN ACT ENTITLED, An Act to consolidate certain domestication provisions in the Uniform Limited Liability Company Act.

1 **HB 1079:** FOR AN ACT ENTITLED, An Act to revise provisions regarding court transcript costs.

2 **HB 1082:** FOR AN ACT ENTITLED, An Act to revise the motor vehicle excise tax on vehicles
3 leased for more than twenty-eight days to include certain off-road vehicles.

4 **HB 1083:** FOR AN ACT ENTITLED, An Act to provide a partial property tax exemption for the
5 surviving spouses of certain veterans.

6 **HB 1087:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding records that
7 are not open to inspection and copying and deliberations in an executive or closed meeting.

8 **HB 1118:** FOR AN ACT ENTITLED, An Act to clarify when a delivery facilitation contractor may
9 be considered an independent contractor.

10 **HB 1122:** FOR AN ACT ENTITLED, An Act to require criminal background checks for emergency
11 medical technicians and advanced life support personnel.

12 **HB 1123:** FOR AN ACT ENTITLED, An Act to establish licensure for rural emergency hospitals.

13 **HB 1128:** FOR AN ACT ENTITLED, An Act to protect the integrity of reemployment assistance.

14 **HB 1131:** FOR AN ACT ENTITLED, An Act to provide for a revocation of hunting, trapping, or
15 fishing privileges.

16 **HB 1286:** FOR AN ACT ENTITLED, An Act to permit municipalities to contribute more to the
17 cost of insurance provided to certain officers or retired employees.

18 And signed the same in the presence of the Senate.

19 **COMMEMORATIONS**

20 **SC 811:** A LEGISLATIVE COMMEMORATION, Commending Maiya Muller for winning the State
21 Class A girls golf individual title.

22 Introduced by: **Senator** Bolin

23 **SC 812:** A LEGISLATIVE COMMEMORATION, Honoring the city of Tabor, South Dakota on its
24 one hundred fiftieth anniversary.

25 Introduced by: **Senators** Schoenfish, Hunhoff, Nesiba, Schoenbeck, V. J. Smith, Steinhauer,
26 Wiik, and Zikmund and **Representatives** Kent Peterson, Bartels, Barthel, Bordeaux, Cwach, Duba,
27 Finck, Olson, Overweg, Perry, Pourier, Jamie Smith, and Stevens

28 **SC 813:** A LEGISLATIVE COMMEMORATION, Celebrating and honoring Tabor's Czech Days
29 annual festivities on the occasion of its seventy-third anniversary.

30 Introduced by: **Senators** Schoenfish, Hunhoff, Nesiba, Schoenbeck, V. J. Smith, Steinhauer,
31 Wiik, and Zikmund and **Representatives** Kent Peterson, Bartels, Barthel, Bordeaux, Cwach, Duba,
32 Finck, Gross, Olson, Overweg, Perry, Reimer, Jamie Smith, and Stevens

33 **SC 814:** A LEGISLATIVE COMMEMORATION, recognizing Norma Rendon, Waciampi Win, for
34 her life of honor, service, and leadership.

35 Introduced by: **Senators** Foster and V. J. Smith

1 Sen. David Johnson moved that the Senate do now adjourn, which motion prevailed and at
2 4:42 p.m. the Senate adjourned.

3

Kay Johnson, Secretary