

JOURNAL OF THE SENATE

NINETY-EIGHTH SESSION

THIRTEENTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, January 30, 2023

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

The prayer was offered by the Chaplain, Fr. Ron Garry, followed by the Pledge of Allegiance led by Senate pages Shane Rist and Keatyn Wede.

Roll Call: All members present except Sen. Frye-Mueller who was suspended.

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 12th 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.

1

COMMUNICATIONS AND PETITIONS

2

January 17, 2023

3

The Honorable Larry Rhoden

4

President of the Senate

5

State Capitol

6

Pierre, SD 57501

7

Dear President and Members of the Senate:

8

Pursuant to the provisions of Article IV, Section 9 of the Constitution, and subject to your consent, I have the honor to inform you that I have appointed James Hagen, of Lincoln County, Sioux Falls, to the position of Secretary of the Department of Tourism.

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This appointment is effective January 7, 2023.

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Sincerely,
Kristi Noem
Governor

15

The President announced the referral of the appointment to the Committee on Commerce and Energy.

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17

REPORTS OF STANDING COMMITTEES

18

Mr. President:

19

The Joint Committee on Appropriations respectfully reports that it has had under consideration **SB 12 and 13** and returns the same with the recommendation that said bills do pass.

20

21

Also Mr. President:

22

The Joint Committee on Appropriations respectfully reports that it has had under consideration **SB 14** and returns the same with the recommendation that said bill be amended as follows:

23

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14A

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On page 1, line 22, of the Introduced bill, delete " Tract 3 less the western most five (5) acres of said Tract, and all of Tract 4," and insert " Tract 4 and Tract 5 of"

26

27

On page 1, line 23, of the Introduced bill, after "Falls" delete ", Located in the SE1/4 of Section 35, T102N-R49W of the 5th P. M. , City of Sioux Falls"

28

29

And that as so amended, **SB 14** do pass.

30

Respectfully submitted,
Jean Hunhoff, Co-Chair

31

Respectfully submitted,
Mike Derby, Co-Chair

1 Mr. President:

2 The Committee on Senate Health and Human Services respectfully reports that it has had
3 under consideration **SB 101** and returns the same with the recommendation that said bill do pass.

4 Also Mr. President:

5 The Committee on Senate Health and Human Services respectfully reports that it has had
6 under consideration **SB 8** and returns the same with the recommendation that said bill do pass, and
7 having been certified as uncontested, be placed on the consent calendar.

8 Also Mr. President:

9 The Committee on Senate Health and Human Services respectfully reports that it has had
10 under consideration the nomination of Shawnie Rechtenbaugh of Hughes County, Pierre, South
11 Dakota, to the position of Secretary of the Department of Human Services and returns the same
12 with the recommendation that the Senate advise and consent to the confirmation of said
13 appointment, and that said appointment be placed on the consent calendar.

14 Also Mr. President:

15 The Committee on Senate Health and Human Services respectfully reports that it has had
16 under consideration the nomination of Melissa Magstadt of Hamlin County, Castlewood, South
17 Dakota, to the position of Secretary of the Department of Health and returns the same with the
18 recommendation that the Senate advise and consent to the confirmation of said appointment, and
19 that said appointment be placed on the consent calendar.

20 Also Mr. President:

21 The Committee on Senate Health and Human Services respectfully reports that it has had
22 under consideration the nomination of Matt Althoff of Lincoln County, Sioux Falls, South Dakota, to
23 the position of Secretary of the Department of Social Services and returns the same with the
24 recommendation that the Senate advise and consent to the confirmation of said appointment, and
25 that said appointment be placed on the consent calendar.

26 Respectfully submitted,
27 Erin Tobin, Chair

28 Mr. President:

29 The Committee on Legislative Procedure respectfully reports that **SB 2 and 41** were delivered
30 to her Excellency, the Governor, for her approval at 3:40 p.m., January 26, 2023.

31 Respectfully submitted,
32 Lee A. Schoenbeck, Chair

33 **MESSAGES FROM THE HOUSE**

34 Mr. President:

35 I have the honor to transmit herewith **HB 1042, 1060, 1072, and 1090** which have passed
36 the House and your favorable consideration is respectfully requested.

37 Respectfully,
38 Patricia Miller, Chief Clerk

1

MOTIONS AND RESOLUTIONS

2

The President announced that Sen. Schoenbeck appointed the following members to the Senate Select Committee on Discipline and Expulsion: Sens. Wheeler (Chair), Nesiba (Vice Chair), Bolin, Davis, Duhamel, Hoffman, Larson, Tobin, and Wink.

5

Sen. Schoenbeck moved to amend Chapter 8 of the permanent rules of the Senate of the Ninety-eighth Legislative Session as follows:

7

CHAPTER 8

8

DISCIPLINE AND EXPULSION OF MEMBERS

9

S8-1. Select Committee on Discipline and Expulsion. Any two Senators may by written motion first delivered to the president pro tempore move for the establishment of a Select Committee on Discipline and Expulsion to investigate the conduct of any other Senator. Upon being seconded, the motion is debatable, and passage of the motion requires a majority vote of the members-elect. The Select Committee on Discipline and Expulsion shall be composed of nine members of the Senate. The chair and vice chair of the select committee shall be chosen by the president pro tempore and may not both be members of the same political party. The other seven members of the select committee shall be chosen by the president pro tempore in consultation with the majority leader and the minority leader. The party makeup of the select committee shall be proportional to the party makeup of the Senate.

S8-1.1 Personnel Matters. Notwithstanding any other provision of this chapter, if a two-thirds majority of the Select Committee on Discipline and Expulsion determines that it is considering a personnel matter that is not appropriate to be considered in a public forum, the Select Committee on Discipline and Expulsion shall take appropriate measures to protect the employee, including meeting in closed session. In all circumstances, chair of the Select Committee on Discipline and Expulsion shall inform the Senator who is the subject of the investigation of any executive session meetings and the Senator's right to be present at any such meeting.

S8-2. Meetings; notice; quorum; vote. All meetings of the Select Committee on Discipline and Expulsion shall be held in the Capitol. A majority of the members of the committee constitutes a quorum. The affirmative vote of majority of those present and voting, assuming a quorum, is required for actions of the committee.

All meetings of the Select Committee on Discipline and Expulsion are open meetings in like manner to any other Senate committee meeting. All meetings shall be webcast and archived in like manner to any other Senate committee meeting.

All meetings of the Select Committee on Discipline and Expulsion shall be scheduled at times that are not in conflict with any other official Senate business. All members of the Senate have the right to be present during all of the select committee's meetings.

S8-3. Oath. Prior to consideration of any matter referred to it, except establishing a quorum, the members of the select committee shall subscribe to the following oath, which shall be administered by the Secretary of the Senate.

"I do solemnly swear (affirm) that in all things appertaining to the matter referred to this select committee, I will do impartial justice according to the Constitution, laws, Joint Rules, and Senate Rules of the State of South Dakota. I do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a member of the Senate Select Committee on Discipline and Expulsion in the aforesaid matter, according to the best of my ability and understanding, so help me God."

S8-4. Procedure in committee. The Select Committee on Discipline and Expulsion shall:

1 (1) Conduct all hearings in like manner to any other Senate committee meeting, and only
2 after informing the member who is the subject of the hearing in writing, which may include
3 electronic written communication, of the date and time of each meeting held for the purpose;

4 (2) Invite the member who is the subject of the hearing to attend all meetings of the
5 committee in person and to be accompanied by legal counsel, or to be represented at the
6 hearings by legal counsel of the member's choice and at the member's own expense;

7 (3) Afford the member full opportunity to present the member's position, to present
8 witnesses in support of the member's position, and extend the opportunity to confront and to
9 question witnesses called by the committee;

10 (4) Advise the member immediately of the date and time of each meeting, in cases where
11 the committee adjourns prior to completing its work and submitting its report to the Senate.

12 If the Senate is called into special session for the express purpose of investigating the conduct
13 of a Senator, the member is deemed to have received constructive notice within the provisions of
14 this rule.

15 **S8-5. Subpoena power; punishment for contempt.** The select committee is hereby
16 specifically and expressly granted the power and authority, with the written approval of the chair of
17 the committee, or the approval of a majority of the members of the committee, to hold hearings,
18 subpoena witnesses, administer oaths, require the production of books and records, and to do all
19 other things necessary to accomplish the purpose of its hearings and deliberations.

20 If a subpoena is not honored, the select committee also has the power to punish for contempt
21 and to provide for the prosecution of any person for refusal to testify, false swearing, or perjury
22 before the select committee in accordance with law.

23 **S8-6. Receipt of resignation; authority of the chair.** If, prior to resolution of the
24 investigation, a written resignation signed by the Senator who is the subject of the investigation has
25 been received by the chair, the chair may terminate the meetings of the select committee.

26 **S8-7. Select committee report.** Any action to expel, censure, discipline, or exonerate a
27 Senator shall be proposed in a select committee report of the Select Committee on Discipline and
28 Expulsion. If the select committee report calls for expulsion, censure, or discipline, the report shall
29 set forth the causes and grounds for which expulsion, censure, or discipline is being recommended
30 by the Senate, and it shall state the particular form of action recommended to the Senate. If the
31 select committee report calls for exoneration, the report shall set forth the reasons why exoneration
32 is appropriate.

33 **S8-8. Procedure in the Senate.** Adoption of a select committee report for the expulsion of
34 a Senator requires the favorable vote of a two-thirds majority of the elected members. Adoption of
35 a select committee report for the censure or discipline of a Senator requires the favorable vote of a
36 three-fifths majority of the elected members. Adoption of a select committee report for the
37 exoneration of a Senator requires the favorable vote of a majority of the elected members.

38 The question being on Sen. Schoenbeck's motion to amend Chapter 8 of the permanent rules
39 of the Senate of the Ninety-eighth Legislative Session.

40 And the roll being called:

41 Yeas 27, Nays 7, Excused 0, Absent 0, Suspended 1

42 Yeas: Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel,
43 Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher,
44 Mehlhaff, Nesiba, Herman Otten, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, and Wheeler

45 Nays: Beal, Foster, Novstrup, Pischke, Wiik, Wink, and Zikmund

1 Suspended: Frye-Mueller

2 So the motion having received an affirmative vote of a two-thirds majority of the members-
3 elect, the President declared the motion carried.

4 Sen. Pischke moved to reinstate, reconsider the appointment of the Select Committee and
5 delay the proceedings in relation to Senator Julie Frye-Mueller.

6 The question being on Sen. Pischke's motion to reinstate, reconsider the appointment of the
7 Select Committee and delay the proceedings in relation to Senator Julie Frye-Mueller.

8 And the roll being called:

9 Yeas 12, Nays 22, Excused 0, Absent 0, Suspended 1

10 Yeas: Beal, Castleberry, Diedrich, Foster, Brent "B.R." Hoffman, Hunhoff, Klumb, Novstrup,
11 Pischke, Wiik, Wink, and Zikmund

12 Nays: Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, David Johnson, Jack
13 Kolbeck, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Herman Otten, Reed, Rohl, Schoenbeck,
14 Schoenfish, Stalzer, Tobin, and Wheeler

15 Suspended: Frye-Mueller

16 So the motion not having received an affirmative vote of a majority of the members-elect, the
17 President declared the motion lost.

18 The following resolution was read on January 26, 2023, and today the President assigned this
19 resolution to committee:

20 **SCR 603** was referred to the Committee on State Affairs.

21 **SCR 601:** A CONCURRENT RESOLUTION, Encouraging the Executive Board of the Legislature
22 to authorize and form an interim legislative committee on nuclear power in South Dakota.

23 Was read the second time.

24 Sen. Brent "B.R." Hoffman moved that **SCR 601** as found on page 120 of the Senate Journal
25 be adopted.

26 The question being on Sen. Brent "B.R." Hoffman's motion that **SCR 601** be adopted.

27 And the roll being called:

28 Yeas 34, Nays 0, Excused 0, Absent 0, Suspended 1

29 Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich,
30 Duhamel, Foster, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve
31 Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Reed, Rohl,
32 Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

33 Suspended: Frye-Mueller

34 So the motion having received an affirmative vote of a majority of the members-elect, the
35 President declared the motion carried and **SCR 601** was adopted.

1 Sen. Crabtree moved that **HCR 6007** be deferred to Monday, February 6, 2023, the 18th
2 legislative day.

3 Which motion prevailed.

4 **CONSIDERATION OF REPORTS OF COMMITTEES**

5 Sen. Crabtree moved that the report of the Standing Committee on

6 Judiciary on **SB 70 and 74** as found on page 119 of the Senate Journal be adopted.

7 Which motion prevailed and the report was adopted.

8 **CONSIDERATION OF CONSENT EXECUTIVE APPOINTMENTS**

9 Sen. Nesiba requested that the nomination of David Flute be removed from the Consent
10 Calendar.

11 The Senate proceeded to the consideration of the executive appointment of Jeff Marlette of
12 Pennington County, Rapid City, South Dakota, to the position of Adjutant General (SJ 85), and

13 Kellie Wasko of Hughes County, Pierre, South Dakota, to the position of Secretary of the
14 Department of Corrections (SJ 88).

15 The question being "Does the Senate advise and consent to the executive appointments of Jeff
16 Marlette and Kellie Wasko?"

17 And the roll being called:

18 Yeas 34, Nays 0, Excused 0, Absent 0, Suspended 1

19 Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich,
20 Duhamel, Foster, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve
21 Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Reed, Rohl,
22 Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

23 Suspended: Frye-Mueller

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

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

27 **SB 172:** FOR AN ACT ENTITLED, An Act to increase the appropriation for construction costs
28 related to the health services center at Black Hills State University–Rapid City, and to declare an
29 emergency.

30 Introduced by: **Senator** Breitling

1 **SB 173:** FOR AN ACT ENTITLED, An Act to increase the appropriation for construction costs
2 related to the new Lincoln Hall at Northern State University, and to declare an emergency.

3 Introduced by: **Senator** Breitling

4 Were read the first time and referred to the Joint Committee on Appropriations.

5 **SB 167:** FOR AN ACT ENTITLED, An Act to revise provisions regarding vehicle dealer warranty
6 compensation.

7 Introduced by: **Senator** Tobin

8 Was read the first time and referred to the Committee on Commerce and Energy.

9 **SB 168:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding students with
10 rape convictions.

11 Introduced by: **Senator** Maher

12 Was read the first time and referred to the Committee on Education.

13 **SB 174:** FOR AN ACT ENTITLED, An Act to prohibit counties or municipalities from enacting or
14 implementing an ordinance, resolution, or policy that prohibits the connection or reconnection of an
15 energy utility service.

16 Introduced by: **Senator** Herman Otten

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

18 **SB 169:** FOR AN ACT ENTITLED, An Act to establish the Commission on Truth and
19 Reconciliation.

20 Introduced by: **Senator** Bordeaux

21 **SB 171:** FOR AN ACT ENTITLED, An Act to create term limits for future public utilities
22 commissioners.

23 Introduced by: **Senator** Bolin

24 Were read the first time and referred to the Committee on State Affairs.

25 **SB 170:** FOR AN ACT ENTITLED, An Act to prohibit the state from using federal funds for state
26 highway maps.

27 Introduced by: **Senator** Bolin

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

29 The following bills were read on January 26, 2023, and today the President assigned these bills
30 to committees:

31 **SB 156** was referred to the Committee on Agriculture and Natural Resources.

1 **SB 157 and 159** were referred to the Committee on Commerce and Energy.

2 **SB 163** was referred to the Committee on Education.

3 **SB 165** was referred to the Committee on Judiciary.

4 **SB 155 and 162, and SJR 505** were referred to the Committee on Local Government.

5 **SB 160, 161, 164, and 166** were referred to the Committee on State Affairs.

6 **SB 158** was referred to the Committee on Transportation.

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

8 **HB 1090:** FOR AN ACT ENTITLED, An Act to modify protections for agricultural operations
9 from nuisance claims.

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

11 **HB 1060:** FOR AN ACT ENTITLED, An Act to modify provisions related to procurement for the
12 state and other purchasing agencies.

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

14 **HB 1072:** FOR AN ACT ENTITLED, An Act to subject lithium to severance tax.

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

16 **HB 1042:** FOR AN ACT ENTITLED, An Act to update additional charges allowed for mailing
17 decals and plates and to declare an emergency.

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

19 **SECOND READING OF CONSENT CALENDAR ITEMS**

20 Sen. Pischke requested that **SB 62** be removed from the Consent Calendar.

21 Sen. Tobin requested that **SB 67** be removed from the Consent Calendar.

22 Sen. Klumb requested that **SB 73** be removed from the Consent Calendar.

23 Sen. Nesiba requested that **SB 44 and 75** be removed from the Consent Calendar.

24 **SB 37:** FOR AN ACT ENTITLED, An Act to revise provisions pertaining to the South Dakota
25 School for the Deaf.

26 **SB 50:** FOR AN ACT ENTITLED, An Act to revise the crime of witness tampering.

27 **SB 61:** FOR AN ACT ENTITLED, An Act to revise driver's license suspensions for restricted
28 permit holders over the age of sixteen.

1 **SB 64:** FOR AN ACT ENTITLED, An Act to repeal provisions related to the jail mental health
2 screening pilot program and oversight council.

3 **SB 72:** FOR AN ACT ENTITLED, An Act to revise provisions related to the discharge of a
4 defendant restored to competency.

5 **SB 81:** FOR AN ACT ENTITLED, An Act to repeal outdated sections regarding enhanced
6 concealed carry permit requirements.

7 **SB 84:** FOR AN ACT ENTITLED, An Act to authorize compensation for water project district
8 directors.

9 **SB 85:** FOR AN ACT ENTITLED, An Act to revise rebating provisions in the insurance code.

10 **HB 1004:** FOR AN ACT ENTITLED, An Act to update a reference to the Internal Revenue Code
11 for purposes of higher education savings plans.

12 **HB 1005:** FOR AN ACT ENTITLED, An Act to update certain citations to federal regulations
13 regarding pipeline safety inspections.

14 **HB 1010:** FOR AN ACT ENTITLED, An Act to repeal the sunset date for provisions related to
15 the licensure of behavior analysts.

16 **HB 1015:** FOR AN ACT ENTITLED, An Act to update provisions related to the licensure of
17 funeral directors and the provision of funeral services.

18 **HB 1018:** FOR AN ACT ENTITLED, An Act to repeal the authorized forfeiture of property used
19 in the illegal capture of fish.

20 **HB 1019:** FOR AN ACT ENTITLED, An Act to repeal certain requirements for Game, Fish and
21 Parks licensing agents.

22 **HB 1033:** FOR AN ACT ENTITLED, An Act to provide for the uniform administration of tobacco
23 products taxes.

24 **HB 1062:** FOR AN ACT ENTITLED, An Act to clarify the convening of recount boards for primary
25 elections.

26 Were read the second time.

27 The question being "Shall **SB 50 and 64, and HB 1015** pass as amended, and **SB 37, 61,**
28 **72, 81, 84, and 85, and HB 1004, 1005, 1010, 1018, 1019, 1033, and 1062** pass?"

29 And the roll being called:

30 Yeas 34, Nays 0, Excused 0, Absent 0, Suspended 1

31 Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich,
32 Duhamel, Foster, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve
33 Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Reed, Rohl,
34 Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

35 Suspended: Frye-Mueller

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

1

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

2

SB 3: FOR AN ACT ENTITLED, An Act to require law enforcement notice to school officials when a student is suspected of violating state drug or alcohol laws or of threatening violence.

3

4

Was read the second time.

5

The question being "Shall **SB 3** pass as amended?"

6

And the roll being called:

7

Yeas 18, Nays 16, Excused 0, Absent 0, Suspended 1

8

Yeas: Bolin, Castleberry, Crabtree, Davis, Diedrich, Brent "B.R." Hoffman, Hunhoff, David Johnson, Steve Kolbeck, Maher, Herman Otten, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, and Zikmund

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Nays: Beal, Bordeaux, Breitling, Deibert, Duhamel, Foster, Klumb, Jack Kolbeck, Larson, Mehlhaff, Nesiba, Novstrup, Pischke, Wheeler, Wiik, and Wink

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13

Suspended: Frye-Mueller

14

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

15

16

SB 71: FOR AN ACT ENTITLED, An Act to authorize other fuel taxes to be included in the state's International Fuel Tax Agreement collections.

17

18

Was read the second time.

19

The question being "Shall **SB 71** pass?"

20

And the roll being called:

21

Yeas 33, Nays 1, Excused 0, Absent 0, Suspended 1

22

Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Foster, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

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Nays: Pischke

27

Suspended: Frye-Mueller

28

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

29

30

SB 48: FOR AN ACT ENTITLED, An Act to enhance the penalty for attempted first degree murder of a law enforcement officer.

31

32

Was read the second time.

33

The question being "Shall **SB 48** pass?"

34

And the roll being called:

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

2 Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich,
3 Duhamel, Foster, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve
4 Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Reed, Rohl,
5 Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

6 Suspended: Frye-Mueller

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

9 **SB 82:** FOR AN ACT ENTITLED, An Act to modify provisions pertaining to poll watchers.

10 Was read the second time.

11 The question being "Shall **SB 82** pass as amended?"

12 And the roll being called:

13 Yeas 34, Nays 0, Excused 0, Absent 0, Suspended 1

14 Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich,
15 Duhamel, Foster, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve
16 Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Reed, Rohl,
17 Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

18 Suspended: Frye-Mueller

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

21 **SB 77:** FOR AN ACT ENTITLED, An Act to reinstate the restricted real estate broker's license
22 for auctioneers and revise real estate licensing.

23 Was read the second time.

24 The question being "Shall **SB 77** pass?"

25 And the roll being called:

26 Yeas 33, Nays 1, Excused 0, Absent 0, Suspended 1

27 Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich,
28 Duhamel, Foster, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve
29 Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Reed, Rohl, Schoenbeck,
30 Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

31 Nays: Pischke

32 Suspended: Frye-Mueller

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

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

2

HB 1014: FOR AN ACT ENTITLED, An Act to update provisions related to the licensure of speech-language pathologists and speech-language pathology assistants.

3

4

Was read the second time.

5

The question being "Shall **HB 1014** pass?"

6

And the roll being called:

7

Yeas 33, Nays 1, Excused 0, Absent 0, Suspended 1

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11

Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Foster, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

12

Nays: Pischke

13

Suspended: Frye-Mueller

14

15

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

16

17

HB 1012: FOR AN ACT ENTITLED, An Act to repeal the annual grievance reporting requirements for health carriers.

18

Was read the second time.

19

The question being "Shall **HB 1012** pass?"

20

And the roll being called:

21

Yeas 33, Nays 1, Excused 0, Absent 0, Suspended 1

22

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25

Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Foster, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

26

Nays: Pischke

27

Suspended: Frye-Mueller

28

29

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

30

31

HB 1003: FOR AN ACT ENTITLED, An Act to repeal provisions requiring prison or jail cost estimates and to declare an emergency.

32

Was read the second time.

33

The question being "Shall **HB 1003** pass?"

34

And the roll being called:

1 Yeas 33, Nays 1, Excused 0, Absent 0, Suspended 1

2 Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich,
3 Duhamel, Foster, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve
4 Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Reed, Rohl, Schoenbeck,
5 Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

6 Nays: Pischke

7 Suspended: Frye-Mueller

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

10 Sen. Foster moved that the Senate do now adjourn, which motion prevailed and at 3:40 p.m.
11 the Senate adjourned.

12

Kay Johnson, Secretary