

JOURNAL OF THE SENATE

NINETY-EIGHTH SESSION

SIXTEENTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Thursday, February 02, 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 Matthew Mork and Connor Wiik.

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 15th 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

REPORTS OF STANDING COMMITTEES

2 Mr. President:

3 The Committee on Senate Military and Veterans Affairs respectfully reports that it has had
4 under consideration **HB 1037** which was deferred to the 41st Legislative Day.

5 Also Mr. President:

6 The Committee on Senate Military and Veterans Affairs respectfully reports that it has had
7 under consideration **HB 1038** and returns the same with the recommendation that said bill do pass,
8 and having been certified as uncontested, be placed on the consent calendar.

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Respectfully submitted,
David Johnson, Chair

11 Mr. President:

12 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has
13 had under consideration **SB 121** with the recommendation that said bill be referred to the Joint
14 Committee on Appropriations with a Do Pass recommendation.

15 Also Mr. President:

16 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has
17 had under consideration **SB 150** and returns the same with the recommendation that said bill do
18 pass, and having been certified as uncontested, be placed on the consent calendar.

19 Also Mr. President:

20 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has
21 had under consideration the nomination of Kevin Robling of Hughes County, Pierre, South Dakota,
22 to the position of Secretary of the Department of Game, Fish and Parks and returns the same with
23 the recommendation that the Senate advise and consent to the confirmation of said reappointment,
24 and that said reappointment having been certified as uncontested, be placed on the consent
25 calendar.

26 Also Mr. President:

27 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has
28 had under consideration the nomination of Hunter Roberts of Hughes County, Pierre, South Dakota,
29 to the Secretary of the Department of Agriculture and Natural Resources and returns the same with
30 the recommendation that the Senate advise and consent to the confirmation of said reappointment,
31 and that said reappointment having been certified as uncontested, be placed on the consent
32 calendar.

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34

Respectfully submitted,
Herman Otten, Chair

35 Mr. President:

36 The Committee on Senate Education respectfully reports that it has had under consideration
37 **SB 57** which was deferred to the 41st Legislative Day.

1 Also Mr. President:

2 The Committee on Senate Education respectfully reports that it has had under consideration
3 the nomination of Joseph Graves of Davison County, Mitchell, South Dakota, to the position of
4 Secretary of the Department of Education and returns the same with the recommendation that the
5 Senate advise and consent to the confirmation of said appointment.

6 Respectfully submitted,
7 Kyle Schoenfish, Chair

8 Mr. President:

9 The Committee on Senate Judiciary respectfully reports that it has had under consideration
10 **SB 4** and returns the same with the recommendation that said bill be amended as follows:

11 4A

12 On page 2, line 25, of the Introduced bill, delete " six" and insert " twelve"

13 And that as so amended, **SB 4** do pass.

14 Also Mr. President:

15 The Committee on Senate Judiciary respectfully reports that it has had under consideration
16 **SB 5** and returns the same with the recommendation that said bill be amended as follows:

17 5A

18 On page 1, line 5, of the Introduced bill, after "26-8D-9. " delete "The oversight council shall
19 meet within ninety days following appointment and shall meet semiannually thereafter. "

20 On page 1, line 8, of the Introduced bill, after "time. " insert "The oversight council shall meet
21 semi-annually or at the call of its chair or at the request of a majority of its members. "

22 On page 1, line 9, of the Introduced bill, delete " recommendations of the juvenile justice
23 reinvestment initiative work group in the final report dated November 2014, track implementation,
24 and evaluate compliance with this chapter" and insert " juvenile justice system for changes that
25 improve public safety, reduce recidivism, hold youth accountable, provide better outcomes for
26 children and families, and control juvenile justice costs"

27 On page 1, line 14, of the Introduced bill, after "Services" insert ", and recommend any
28 additional measures needed to identify outcomes in the juvenile justice system"

29 On page 1, line 20, of the Introduced bill, after "measures" insert ", and statewide availability
30 of evidence-based programs and practices involving cognitive behavioral health and family therapy
31 programs for justice-involved youth"

32 On page 1, line 20, of the Introduced bill, after "measures;" insert "

33 (5) Assess implementation and infrastructure to support the sustainability and fidelity of
34 evidence-based juvenile justice programs, including resources for staffing;"

35 On page 1, line 21, of the Introduced bill, delete "(5)" and insert "(6)"

36 On page 1, line 22, of the Introduced bill, after "system" delete " in accordance with §§ 26-
37 8D-5 and 26-8D-6"

38 On page 1, line 24, of the Introduced bill, delete "(6)" and insert "(7)"

- 1 On page 1, line 25, of the Introduced bill, after "§ 26-8D-2, " delete "payments from the
2 juvenile justice detention cost-sharing fund pursuant to § 26-8D-24, "
- 3 On page 2, line 2, of the Introduced bill, delete " and" and insert "
- 4 (8) Review training related to juvenile justice for educators, law enforcement, probation,
5 attorneys, corrections, program providers, and judges;
- 6 (9) Review proven truancy and diversion models and best practices and make
7 recommendations for statewide implementation; and"
- 8 On page 2, line 3, of the Introduced bill, delete "(7)" and insert "(10)"
- 9 On page 2, line 4, of the Introduced bill, after "chapter " insert "and any recommendations for
10 improvements related to juvenile justice "
- 11 On page 2, line 5, of the Introduced bill, after "Justice." delete " The report shall include any
12 recommendations for improvement related to chapter 152 of the 2015 Session Laws."
- 13 On page 2, line 8, of the Introduced bill, after "26-8D-8. " insert "The Juvenile Justice Oversight
14 Council is created for the purpose of providing an independent review of the state juvenile justice
15 system and providing recommendations to the Legislature, Governor, and Chief Justice. "
- 16 On page 2, line 8, of the Introduced bill, delete "twenty " and insert "nineteen "
- 17 On page 2, line 10, of the Introduced bill, delete "seven " and insert "six "
- 18 On page 2, line 13, of the Introduced bill, delete "(c) A representative who is a state's attorney;
19 (d)" and insert "(c)"
- 20 On page 2, line 15, of the Introduced bill, delete "(e)" and insert "(d)"
- 21 On page 2, line 15, of the Introduced bill, after "Relations;" insert "
22 (e) A member of law enforcement; and
23 (f) One at-large member;"
- 24 On page 2, line 16, of the Introduced bill, after "Relations;" delete "(f) Two at large membersA
25 representative from an urban South Dakota school district located in a municipality with a population
26 greater than twenty thousand;
- 27 (g) A representative from a rural South Dakota school district located in a municipality with a
28 population less than twenty thousand;
- 29 "
- 30 On page 2, line 22, of the Introduced bill, delete "representative who is a criminal " and insert
31 "juvenile justice "
- 32 On page 2, line 23, of the Introduced bill, delete "A representative who is a judge; and" and
33 insert "Two circuit court judges;"
- 34 On page 2, line 24, of the Introduced bill, delete "Four at large members" and insert "A juvenile
35 court services officer"
- 36 On page 2, line 24, of the Introduced bill, after "members;" insert "

1 (d) A representative from the State Court Administrator's Office; and

2 (e) One at-large member;"

3 On page 2, line 25, of the Introduced bill, delete "majority leader" and insert "president pro-
4 tempore"

5 On page 2, line 25, of the Introduced bill, delete "three " and insert "two "

6 On page 2, line 26, of the Introduced bill, delete "Two legislative members of the Senate, one
7 from each political party" and insert "A member of the Senate Judiciary Committee"

8 On page 2, line 27, of the Introduced bill, delete "One at large member" and insert "A member
9 of the Senate that is from a different political party than the other member appointed"

10 On page 2, line 28, of the Introduced bill, delete "majority leader" and insert "speaker"

11 On page 2, line 29, of the Introduced bill, delete "three " and insert "two "

12 On page 2, line 30, of the Introduced bill, delete "Two legislative members of the House of
13 Representatives, one from each political party" and insert "A member of the House Judiciary
14 Committee"

15 On page 2, line 32, of the Introduced bill, delete "One member who is a county commissioner"
16 and insert "A member of the House of Representatives that is from a different political party than
17 the other appointed member"

18 On page 2, line 32, of the Introduced bill, delete " and" and insert "

19 (5) The South Dakota Superintendent's Association shall appoint one representative from a
20 large school district and one representative from a small school district; and"

21 On page 2, line 33, of the Introduced bill, delete "(5)" and insert "(6)"

22 On page 2, line 33, of the Introduced bill, delete " member" and insert " state's attorney"

23 On page 3, line 1, of the Introduced bill, after "chair" insert " every two years. Appointed
24 members shall serve two-year terms and may be reappointed"

25 And that as so amended, **SB 5** do pass, and having been certified as uncontested, be placed
26 on the consent calendar.

27 Also Mr. President:

28 The Committee on Senate Judiciary respectfully reports that it has had under consideration
29 **SB 165** which was deferred to the 41st Legislative Day.

30 Also Mr. President:

31 The Committee on Senate Judiciary respectfully reports that it has had under consideration
32 **SB 98 and 176** and returns the same with the recommendation that said bills do pass, and having
33 been certified as uncontested, be placed on the consent calendar.

34
35

Respectfully submitted,
Helene Duhamel, Chair

1 Mr. President:

2 The Committee on Senate Commerce and Energy respectfully reports that it has had under
3 consideration **SB 157, and HB 1058** which were deferred to the 41st Legislative Day.

4 Also Mr. President:

5 The Committee on Senate Commerce and Energy respectfully reports that it has had under
6 consideration **HB 1088** 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 Respectfully submitted,
9 David Wheeler, Chair

10 MESSAGES FROM THE HOUSE

11 Mr. President:

12 I have the honor to transmit herewith **HB 1048, 1109, 1112, and 1121** which have passed
13 the House and your favorable consideration is respectfully requested.

14 Also Mr. President:

15 I have the honor to inform your honorable body that the House has concurred in Senate
16 amendments to **HB 1015**.

17 Also Mr. President:

18 I have the honor to transmit herewith **HCR 6011** which has been adopted by the House and
19 your concurrence is respectfully requested.

20 Also Mr. President:

21 I have the honor to inform your honorable body that **SB 68** was lost on second reading and
22 final passage.

23 Respectfully,
24 Patricia Miller, Chief Clerk

25 MOTIONS AND RESOLUTIONS

26 Yesterday, Sen. Maher announced his intention to reconsider the vote by which **SB 117** lost.

27 Sen. Maher moved that the Senate do now reconsider the vote by which **SB 117** lost.

28 The question being on Sen. Maher's motion to reconsider the vote by which **SB 117** lost.

29 And the roll being called:

30 Yeas 17, Nays 18, Excused 0, Absent 0

1 Yeas: Beal, Bordeaux, Crabtree, Davis, Diedrich, Duhamel, Hunhoff, David Johnson, Jack
2 Kolbeck, Maher, Reed, Rohl, Schoenbeck, Schoenfish, Tobin, Wheeler, and Zikmund

3 Nays: Bolin, Breitling, Castleberry, Deibert, Foster, Frye-Mueller, Brent "B.R." Hoffman, Klumb,
4 Steve Kolbeck, Larson, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Stalzer, Wiik, and Wink

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

7 **HCR 6011**: A CONCURRENT RESOLUTION, Celebrating the sister-state relationship with
8 Taiwan.

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

10 Sen. Crabtree moved that **HB 1057** be deferred to Monday, February 6, 2023, the 18th
11 legislative day.

12 Which motion prevailed.

13 Sen. Crabtree moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
14 Friday, February 3rd, the 17th legislative day.

15 Which motion prevailed.

16 **CONSIDERATION OF REPORTS OF COMMITTEES**

17 Sen. Crabtree moved that the reports of the Standing Committees on

18 Local Government on **SB 86** as found on page 156 of the Senate Journal; and

19 State Affairs on **SB 116** as found on page 155 of the Senate Journal be adopted.

20 Which motion prevailed and the reports were adopted.

21 **CONSIDERATION OF EXECUTIVE APPOINTMENTS**

22 The Senate proceeded to the consideration of the executive appointment of Craig Price of
23 Hughes County, Pierre, South Dakota, to the position of Secretary of the Department of
24 Public Safety.

25 The question being "Does the Senate advise and consent to the executive appointment of Craig
26 Price pursuant to the executive message as found on page 85 of the Senate Journal?"

27 And the roll being called:

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

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

1 Nays: Pischke

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

4 **CONSIDERATION OF CONSENT EXECUTIVE APPOINTMENTS**

5 The Senate proceeded to the consideration of the executive appointment of Joel Jundt of
6 Hughes County, Pierre, South Dakota, to the position of Secretary of the Department of
7 Transportation.

8 The question being "Does the Senate advise and consent to the executive appointment of Joel
9 Jundt pursuant to the executive message as found on page 84 of the Senate Journal?"

10 And the roll being called:

11 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

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

19 **HB 1121:** FOR AN ACT ENTITLED, An Act to expand the definition of a pesticide dealer.

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

21 **HB 1109:** FOR AN ACT ENTITLED, An Act to modify the occupation tax for business
22 improvement districts.

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

24 **HB 1048:** FOR AN ACT ENTITLED, An Act to repeal and make technical changes to provisions
25 regarding the Board of Military Affairs.

26 Was read the first time and referred to the Committee on Military and Veterans Affairs.

27 **HB 1112:** FOR AN ACT ENTITLED, An Act to modify provisions for a statewide runoff election.

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

1

SECOND READING OF CONSENT CALENDAR ITEMS

2

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Sen. Schoenbeck requested that **HCR 6002 and 6003** be removed from the Consent Calendar.

4

Sen. Crabtree requested that **SB 145** be removed from the Consent Calendar.

5

Pursuant to Senate Rule 6-1, the President removed **HB 1064** from the Consent Calendar.

6

7

SB 83: FOR AN ACT ENTITLED, An Act to revising provisions regarding water development districts.

8

9

SB 102: FOR AN ACT ENTITLED, An Act to require the continued maintenance of the official list of candidates prior to an election.

10

11

HB 1013: FOR AN ACT ENTITLED, An Act to update references to certain federal motor carrier regulations.

12

Were read the second time.

13

The question being "Shall **SB 83 and 102, and HB 1013** pass?"

14

And the roll being called:

15

Yeas 35, Nays 0, Excused 0, Absent 0

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

20

21

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

22

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

23

24

SB 78: FOR AN ACT ENTITLED, An Act to create the South Dakota Board of Physical Therapy and make an appropriation therefor.

25

Was read the second time.

26

The question being "Shall **SB 78** pass?"

27

And the roll being called:

28

Yeas 35, Nays 0, Excused 0, Absent 0

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Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Foster, Frye-Mueller, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, 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 **SB 87**: FOR AN ACT ENTITLED, An Act to establish educational standards for the expanded
4 practice of optometry.

5 Was read the second time.

6 The question being "Shall **SB 87** pass?"

7 And the roll being called:

8 Yeas 26, Nays 9, Excused 0, Absent 0

9 Yeas: Beal, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Duhamel, Foster, Frye-
10 Mueller, Hunhoff, David Johnson, Klumb, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup,
11 Pischke, Rohl, Schoenbeck, Schoenfish, Tobin, Wheeler, and Wiik

12 Nays: Bolin, Diedrich, Brent "B.R." Hoffman, Jack Kolbeck, Herman Otten, Reed, Stalzer, Wink,
13 and Zikmund

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 **SB 55**: FOR AN ACT ENTITLED, An Act to prohibit ranked-choice voting.

17 Was read the second time.

18 The question being "Shall **SB 55** pass?"

19 And the roll being called:

20 Yeas 31, Nays 4, Excused 0, Absent 0

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

25 Nays: Bordeaux, Foster, Larson, and Nesiba

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 **SB 132**: FOR AN ACT ENTITLED, An Act to revise the appointment of legislators to the
29 Agricultural Land Assessment Implementation and Oversight Advisory Task Force.

30 Was read the second time.

31 The question being "Shall **SB 132** pass?"

32 And the roll being called:

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

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

5 Nays: Bordeaux, Foster, and Nesiba

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

8 **SB 99:** FOR AN ACT ENTITLED, An Act to authorize counties to issue bonds for certain
9 expenditures funded by a gross receipts tax.

10 Was read the second time.

11 The question being "Shall **SB 99** pass?"

12 And the roll being called:

13 Yeas 7, Nays 28, Excused 0, Absent 0

14 Yeas: Bolin, Deibert, Larson, Novstrup, Herman Otten, Reed, and Wink

15 Nays: Beal, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Diedrich, Duhamel, Foster, Frye-
16 Mueller, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Maher,
17 Mehlhaff, Nesiba, Pischke, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, and
18 Zikmund

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

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

22 **HB 1026:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to
23 suppression of wildfires in the state and to declare an emergency.

24 Was read the second time.

25 The question being "Shall **HB 1026** pass?"

26 And the roll being called:

27 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

1 **HB 1027:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to
2 disasters in the state and to declare an emergency.

3 Was read the second time.

4 The question being "Shall **HB 1027** pass?"

5 And the roll being called:

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

7 Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich,
8 Duhamel, Foster, Frye-Mueller, Brent "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck,
9 Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Reed, Rohl,
10 Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, 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 1034:** FOR AN ACT ENTITLED, An Act to modify tax refunds for elderly persons and persons
14 with a disability, to make an appropriation therefor, and to declare an emergency.

15 Was read the second time.

16 The question being "Shall **HB 1034** pass?"

17 And the roll being called:

18 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

25 **HB 1036:** FOR AN ACT ENTITLED, An Act to increase civil penalties for commercial driver's
26 license holders and motor carriers.

27 Was read the second time.

28 The question being "Shall **HB 1036** pass as amended?"

29 And the roll being called:

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

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

35 Nays: Frye-Mueller, Brent "B.R." Hoffman, and Pischke

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

1 **HB 1063:** FOR AN ACT ENTITLED, An Act to require the Unified Judicial System to assemble
2 a task force to address barriers to services for emerging adults involved in the justice system in
3 South Dakota.

4 Was read the second time.

5 The question being "Shall **HB 1063** pass?"

6 And the roll being called:

7 Yeas 18, Nays 17, Excused 0, Absent 0

8 Yeas: Bordeaux, Breitling, Deibert, Diedrich, Duhamel, Foster, David Johnson, Steve Kolbeck,
9 Larson, Mehlhaff, Nesiba, Reed, Rohl, Schoenfish, Stalzer, Wheeler, Wiik, and Wink

10 Nays: Beal, Bolin, Castleberry, Crabtree, Davis, Frye-Mueller, Brent "B.R." Hoffman, Hunhoff,
11 Klumb, Jack Kolbeck, Maher, Novstrup, Herman Otten, Pischke, Schoenbeck, Tobin, and Zikmund

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

14 **SIGNING OF BILLS**

15 The President publicly read the title to

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

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

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

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

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

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

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

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

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

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

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

1 Sen. Novstrup moved that the Senate do now adjourn, which motion prevailed and at
2 3:48 p.m. the Senate adjourned.

3

Kay Johnson, Secretary