

# *JOURNAL OF THE SENATE*

## *NINETY-EIGHTH SESSION*

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TWENTY-SIXTH DAY

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STATE OF SOUTH DAKOTA  
Senate Chamber, Pierre  
Tuesday, February 21, 2023

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

The prayer was offered by the Chaplain, Pastor Jarvis Wipf, followed by the Pledge of Allegiance led by Senate page Kasey Broers.

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

### **APPROVAL OF THE JOURNAL**

Mr. President:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the 25th 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 The oath of office was administered by the President to the following named pages:

2 Grace Barnett, Kasey Broers, Jayse Foss, Morgan Gill, Dakota Jensen, Gretta Larson,  
3 Lauren Murphy, Gabrielle Rebelein, Baylie Somsen, Luke Worsley.

4 Which was subscribed to and placed on file in the office of the Secretary of State.

5 **COMMUNICATIONS AND PETITIONS**

6 January 17, 2023

7 The Honorable Larry Rhoden  
8 President of the Senate  
9 State Capitol  
10 Pierre, SD 57501

11 Dear President and Members of the Senate:

12 Pursuant to the provisions of Article IV, Section 9, of the Constitution, and subject to your  
13 consent, I have the honor to inform you that I have appointed Patrick Parady, of Miner County,  
14 Howard, South Dakota, to the position of Assistant Adjutant General, Army.

15 This appointment is effective January 7, 2023.

16 Sincerely,  
17 Kristi Noem  
18 Governor

19 The President announced the referral of the appointment to the Committee on State Affairs.

20 January 11, 2023

21 The Honorable Larry Rhoden  
22 President of the Senate  
23 State Capitol  
24 Pierre, SD 57501

25 RE: Appointment of Vaughn Beck, to the Board of Pardons and Paroles

26 Dear Mr. President and Members of the Senate:

27 Pursuant to the provisions of Chapter 24-13 of the South Dakota Codified Laws and subject to  
28 your consent, I have the honor to inform you that I have appointed Vaughn Beck to the South  
29 Dakota Board of Pardons and Parole.

30 Enclosed is a copy of the following:  
31 1. The Statement of Financial Interest  
32 2. Senate Confirmation Information  
33 3. Oath  
34 4. The December 27, 2022, letter of appointment

1 This appointment is effective as of January 16, 2023, and will expire on January 18, 2027.

2 Sincerely,  
3 Marty Jackley  
4 Attorney General

5 The President announced the referral of the appointment to the Committee on Judiciary.

## 6 **REPORTS OF STANDING COMMITTEES**

7 Mr. President:

8 The Committee on Senate Commerce and Energy respectfully reports that it has had under  
9 consideration **SB 178, which was reconsidered** and was deferred to the 41st Legislative Day.

10 Also Mr. President:

11 The Committee on Senate Commerce and Energy respectfully reports that it has had under  
12 consideration **SB 209** which was tabled.

13 Also Mr. President:

14 The Committee on Senate Commerce and Energy respectfully reports that it has had under  
15 consideration **HB 1109** and returns the same with the recommendation that said bill do pass.

16 Also Mr. President:

17 The Committee on Senate Commerce and Energy respectfully reports that it has had under  
18 consideration **HB 1145 and 1184** and returns the same with the recommendation that said bills  
19 do pass, and having been certified as uncontested, be placed on the consent calendar.

20 Respectfully submitted,  
21 David Wheeler, Chair

22 Mr. President:

23 The Senate Committee on Appropriations respectfully reports that it has had under  
24 consideration **SB 89 and 149** and returns the same with the recommendation that said bills do  
25 pass.

26 Also Mr. President:

27 The Senate Committee on Appropriations respectfully reports that it has had under  
28 consideration **SB 118** and returns the same with the recommendation that said bill be amended as  
29 follows:

30 118A

31 On page 2, line 2, of the Introduced bill, after "registered" insert ", and the limit set forth in  
32 section 6 of this Act"

33 On page 2, after line 19, of the Introduced bill, insert: "

34 **Section 6. That chapter 13-55 be amended with a NEW SECTION:**

1 The total amount of the reduced tuition benefit, provided under §§ 13-55-24 to 13-55-27,  
 2 inclusive, for all teachers who are not employed as elementary or secondary teachers or vocational  
 3 instructors, may not exceed fifty thousand dollars per year."

4 118B

5 On the previously adopted amendment (118A), On page 2, line 23, delete "fifty " and insert  
 6 "twenty-five "

7 And that as so amended, **SB 118** do pass.

8 Respectfully submitted,  
 9 Jean Hunhoff, Chair

10 Mr. President:

11 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has  
 12 had under consideration **SB 184** which was deferred to the 41st Legislative Day.

13 Also Mr. President:

14 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has  
 15 had under consideration **HB 1029** and returns the same with the recommendation that said bill do  
 16 pass.

17 Also Mr. President:

18 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has  
 19 had under consideration **HB 1210** and returns the same with the recommendation that said bill do  
 20 pass, and having been certified as uncontested, be placed on the consent calendar.

21 Respectfully submitted,  
 22 Herman Otten, Chair

23 Mr. President:

24 The Committee on Senate Education respectfully reports that it has had under consideration  
 25 **SB 151, which was reconsidered** and returns the same with the recommendation that said bill  
 26 be amended as follows:

27 151A

28 On page 1, line 1, of the Introduced bill, delete "establish the nonbeneficiary student  
 29 scholarship program and make an appropriation therefor" and insert " clarify information related to  
 30 students that is not subject to survey, analysis, or evaluation without consent"

31 On the Introduced bill, delete everything after the enacting clause and insert:

32 "

33 **Section 1. That § 13-3-51.2 be AMENDED:**

34 **13-3-51.2.** No elementary school or secondary school ~~student shall be required to submit to~~  
 35 may administer a survey, analysis, or evaluation that reveals information concerning without the  
 36 prior written consent of the parent, or without the prior consent of the student if the student is an  
 37 adult or emancipated minor, if the survey, analysis, or evaluation:

- 
- 1           (1)        Reveals a student's identity; and
  - 2           (2)        Collects any information concerning:
  - 3           (a) Political affiliations or beliefs of the student or the student's parent;
  - 4           ~~(2)(b)~~    Mental or psychological problems or aspects of the student or the student's family;
  - 5           ~~(3)(c)~~    Sex behavior or attitudes of the student or the student's family;
  - 6           ~~(4)(d)~~    Illegal, anti-social, self-incriminating, or demeaning behavior;
  - 7           ~~(5)(e)~~    Critical appraisals of other individuals with whom respondents have close family
  - 8           relationships;
  - 9           ~~(6)(f)~~    Legally recognized privileged or analogous relationships, ~~such as those of lawyers,~~
  - 10          ~~physicians, and ministers;~~
  - 11          ~~(7)(g)~~    Religious practices, affiliations, or beliefs of the student or student's parent;
  - 12          ~~(8)(h)~~    Personal or family gun ownership; or
  - 13          ~~(9)(i)~~    Income ~~(, other than that required by law to determine eligibility for participation in~~
  - 14          a program or for receiving financial assistance under such program);

15           ~~without the prior consent of the student (if the student is an adult or emancipated minor), or~~  
 16           ~~in the case of an unemancipated minor, without the prior written consent of the parent. The list of~~  
 17           ~~information in subdivisions (1) to (9), inclusive, is not an exclusive list. The secretary of the~~  
 18           ~~Department of Education department may add to the list of information in subdivisions (1) to (9),~~  
 19           ~~inclusive, other data, facts, or information that is of a similar nature that a student may is not be~~  
 20           ~~required to disclose.~~

21           ~~The term, parent, for~~ For purposes of this section, the term, parent, includes a legal guardian  
 22           or other person standing in loco parentis.

23           Nothing in this section is intended to supersede or modify any other state law or any provision  
 24           in 20 U.S.C. § 1232h or 34 C.F.R. Part 98, as amended to January 1, 2014.

25           "

26           And that as so amended, **SB 151, which was reconsidered** do pass, and having been  
 27           certified as uncontested, be placed on the consent calendar.

28           Also Mr. President:

29           The Committee on Senate Education respectfully reports that it has had under consideration  
 30           the nomination of Kamp "Rich" Meyer of Pennington County, Rapid City, South Dakota, to the South  
 31           Dakota Board of Education Standards and returns the same with the recommendation that the  
 32           Senate advise and consent to the confirmation of said appointment.

33           Also Mr. President:

34           The Committee on Senate Education respectfully reports that it has had under consideration  
 35           the nomination of Pam Roberts of Hughes County, Pierre, South Dakota, to the State Board of  
 36           Regents and returns the same with the recommendation that the Senate advise and consent to the  
 37           confirmation of said reappointment, and that said reappointment having been certified as  
 38           uncontested, be placed on the consent calendar.

1 Also Mr. President:

2 The Committee on Senate Education respectfully reports that it has had under consideration  
3 **HCR 6001** and returns the same with the recommendation that said resolution do pass.

4 Also Mr. President:

5 The Committee on Senate Education respectfully reports that it has had under consideration  
6 **HB 1046** and returns the same with the recommendation that said bill do pass, and having been  
7 certified as uncontested, be placed on the consent calendar.

8 Respectfully submitted,  
9 Kyle Schoenfish, Chair

10 Mr. President:

11 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and  
12 Enrolling has carefully compared **SB 19, 25, 56, and 98** and finds the same correctly enrolled.

13 Respectfully submitted,  
14 Lee A. Schoenbeck, Chair

15 Mr. President:

16 The Committee on Legislative Procedure respectfully reports that **SB 31, 34, 44, 61, 77, 83,**  
17 **84, 88, 92, 93, 95, and 162** were delivered to her Excellency, the Governor, for her approval at  
18 11:25 a.m., February 21, 2023.

19 Respectfully submitted,  
20 Lee A. Schoenbeck, Chair

21 **MESSAGES FROM THE HOUSE**

22 Mr. President:

23 I have the honor to return herewith **SB 19, 25, and 98** which have passed the House without  
24 change.

25 Also Mr. President:

26 I have the honor to transmit herewith **HB 1055, 1093, 1094, 1141, 1142, 1144, 1153,**  
27 **1160, and 1231** which have passed the House and your favorable consideration is respectfully  
28 requested.

29 Respectfully,  
30 Patricia Miller, Chief Clerk

1

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**MOTIONS AND RESOLUTIONS**

2

Sen. Crabtree moved that **SB 191, and HB 1042 and 1090** be deferred to Wednesday, February 22, 2023, the 27<sup>th</sup> legislative day.

3

4

Which motion prevailed.

5

**CONSIDERATION OF REPORTS OF COMMITTEES**

6

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

7

Health and Human Services on **SB 201** as found on page 282 of the Senate Journal and

8

**SB 205** as found on page 283 of the Senate Journal; also

9

Education on **SB 168** as found on page 283 of the Senate Journal; also

10

Commerce and Energy on **SB 159** as found on page 284 of the Senate Journal; also

11

Agriculture and Natural Resources on **SB 152** as found on page 288 of the Senate Journal and

12

**SB 156** as found on page 289 of the Senate Journal be adopted.

13

Which motion prevailed and the reports were adopted.

14

**CONSIDERATION OF EXECUTIVE APPOINTMENTS**

15

The Senate proceeded to the consideration of the executive appointment of Jan Steele of Deuel County, Gary, South Dakota, to the Board of Pardons and Paroles.

16

17

The question being "Does the Senate advise and consent to the executive appointment of Jan Steele pursuant to the executive message as found on page 208 of the Senate Journal?"

18

19

And the roll being called:

20

Yeas 34, Nays 0, Excused 1, Absent 0

21

Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, 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

22

23

24

25

Excused: Diedrich

26

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

27

28

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

29

**HB 1093:** FOR AN ACT ENTITLED, An Act to make an appropriation to enhance the economic health of South Dakota and to declare an emergency.

30

31

**HB 1094:** FOR AN ACT ENTITLED, An Act to make an appropriation to increase the success of South Dakota and to declare an emergency.

32

1 **HB 1153:** FOR AN ACT ENTITLED, An Act to to update travel expenses, moving expenses, and  
2 other reimbursements.

3 Were read the first time and referred to the Senate Committee on Appropriations.

4 **HB 1055:** FOR AN ACT ENTITLED, An Act to increase the dollar amount of South Dakota  
5 opportunity scholarships.

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

7 **HB 1231:** FOR AN ACT ENTITLED, An Act to revise certain provisions related to the sealing of  
8 adoption records.

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

10 **HB 1160:** FOR AN ACT ENTITLED, An Act to limit probation for offenders with four or more  
11 felony convictions.

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

13 **HB 1141:** FOR AN ACT ENTITLED, An Act to to encourage the reduction of taxes in the State  
14 of South Dakota.

15 **HB 1142:** FOR AN ACT ENTITLED, An Act to improve education outcomes and college  
16 affordability.

17 **HB 1144:** FOR AN ACT ENTITLED, An Act to bolster the workforce of South Dakota.

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

19 **SECOND READING OF CONSENT CALENDAR ITEMS**

20 Sen. Frye-Mueller requested that **HB 1121** be removed from the Consent Calendar.

21 **SB 115:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding consideration of  
22 out-of-state convictions for driving under the influence.

23 **SB 174:** FOR AN ACT ENTITLED, An Act to prohibit the enactment or implementation of an  
24 ordinance, resolution, or policy that prohibits the use of an energy utility service.

25 **HB 1222:** FOR AN ACT ENTITLED, An Act to limit the liability of permit and certificate-issuing  
26 entities and certified use of force instructors.

27 Were read the second time.

28 The question being "Shall **SB 174, and HB 1222** pass as amended, and **SB 115** pass?"

29 And the roll being called:

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



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

5 Excused: Diedrich

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

## 8 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

9 **SB 202:** FOR AN ACT ENTITLED, An Act to clarify the application of use tax and sales tax on  
10 the purchase price of certain goods provided to a customer as part of a taxable sale.

11 Was read the second time.

12 Sen. Novstrup moved that **SB 202** be amended as follows:

13 202B

14 On page 1, line 1, of the Senate Taxation Engrossed bill, delete " use tax and" and insert " the  
15 state"

16 On page 1, line 1, of the Senate Taxation Engrossed bill, after "on" delete " the purchase price  
17 of"

18 On page 1, line 2, of the Senate Taxation Engrossed bill, delete " provided" and insert "  
19 purchased by a retailer and given"

20 On page 1, line 2, of the Senate Taxation Engrossed bill, after "customer" insert " without  
21 charge"

22 On page 1, line 2, of the Senate Taxation Engrossed bill, after "taxable" insert " retail"

23 On page 1, line 4, of the Senate Taxation Engrossed bill, delete "46" and insert "45"

24 On page 1, line 5, of the Senate Taxation Engrossed bill, delete "The purchase price" and insert  
25 "Gross receipts"

26 On page 1, line 5, of the Senate Taxation Engrossed bill, after "all" insert " sales of"

27 On page 1, line 5, of the Senate Taxation Engrossed bill, delete " considered purchased for  
28 resale purposes" and insert " purchased by a retailer"

29 On page 1, line 6, of the Senate Taxation Engrossed bill, delete " provided" and insert "  
30 intended to be given"

31 On page 1, line 6, of the Senate Taxation Engrossed bill, after "customer" insert " without  
32 charge"

33 On page 1, line 6, of the Senate Taxation Engrossed bill, after "taxable" insert " retail"

34 On page 1, line 7, of the Senate Taxation Engrossed bill, after "chapter" delete " and chapter  
35 10-45"

36 Which motion prevailed.

1 The question being "Shall **SB 202** pass as amended?"

2 And the roll being called:

3 Yeas 5, Nays 29, Excused 1, Absent 0

4 Yeas: Castleberry, Foster, Novstrup, Pischke, and Rohl

5 Nays: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Frye-Mueller, Brent  
6 "B.R." Hoffman, Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher,  
7 Mehlhaff, Nesiba, Herman Otten, Reed, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik,  
8 Wink, and Zikmund

9 Excused: Diedrich

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

12 **SB 185**: FOR AN ACT ENTITLED, An Act to establish the Committee on Foreign Investment in  
13 the United States – South Dakota and revise provisions related to the foreign ownership or control  
14 of agricultural land.

15 Was read the second time.

16 Sen. Tobin moved that **SB 185** be amended as follows:

17 185D

18 On page 2, line 29, of the Senate Agriculture and Natural Resources Engrossed bill, delete "  
19 twenty" and insert " ten"

20 On page 2, line 30, of the Senate Agriculture and Natural Resources Engrossed bill, after  
21 "person" insert " in violation of this Act"

22 On page 3, line 19, of the Senate Agriculture and Natural Resources Engrossed bill, delete "  
23 five" and insert " seven"

24 On page 3, line 22, of the Senate Agriculture and Natural Resources Engrossed bill, after  
25 "chairperson;" insert "

26 (4) A member of the Senate appointed by the president pro tempore to a two-year term;

27 (5) A member of the House of Representatives appointed by the speaker of the house to a  
28 two-year term;"

29 On page 3, line 23, of the Senate Agriculture and Natural Resources Engrossed bill, delete "(4)"  
30 and insert "(6)"

31 On page 3, line 26, of the Senate Agriculture and Natural Resources Engrossed bill, delete "(5)"  
32 and insert "(7)"

33 On page 3, line 28, of the Senate Agriculture and Natural Resources Engrossed bill, delete "  
34 (4)" and insert " (6)"

35 On page 3, line 28, of the Senate Agriculture and Natural Resources Engrossed bill, delete "  
36 (5)" and insert " (7)"

1 On page 3, line 29, of the Senate Agriculture and Natural Resources Engrossed bill, delete ".  
2 The appointed members" and insert " who shall"

3 On page 5, line 18, of the Senate Agriculture and Natural Resources Engrossed bill, delete "  
4 one hundred eighty" and insert " ninety"

5 On page 5, line 24, of the Senate Agriculture and Natural Resources Engrossed bill, delete "  
6 one hundred eighty" and insert " ninety"

7 On page 5, line 25, of the Senate Agriculture and Natural Resources Engrossed bill, delete "  
8 one hundred eighty" and insert " ninety"

9 On page 5, line 26, of the Senate Agriculture and Natural Resources Engrossed bill, delete "  
10 three hundred sixty-five" and insert " one hundred eighty"

11 On page 9, after line 18, of the Senate Agriculture and Natural Resources Engrossed bill, insert:  
12 "

13 **Section 19. That chapter 43-2A be amended with a NEW SECTION:**

14 The purchaser of transferred property subject to this act shall complete and file the certificate  
15 of value required pursuant to § 7-9-7 at the time of the transfer of the property."

16 On page 10, line 6, of the Senate Agriculture and Natural Resources Engrossed bill, after "any,"  
17 delete " and"

18 On page 10, line 7, of the Senate Agriculture and Natural Resources Engrossed bill, after "sale"  
19 insert ", a statement on the certificate of value whether the buyer is a foreign person, as defined in  
20 § 43-2A-1, and if the buyer is a foreign person, a copy of an approval letter pursuant to Section 13  
21 of this Act"

22 On page 10, line 7, of the Senate Agriculture and Natural Resources Engrossed bill, remove  
23 the overstrikes from " or"

24 On page 10, line 10, of the Senate Agriculture and Natural Resources Engrossed bill, remove  
25 the overstrikes from the period

26 On page 10, line 10, of the Senate Agriculture and Natural Resources Engrossed bill, after  
27 "section." delete "; or"

28 On page 10, line 11, of the Senate Agriculture and Natural Resources Engrossed bill, after "or"  
29 delete "(6) Any deed for agricultural land, as defined in § 43-2A-1, that is subject to the jurisdiction  
30 of the Committee on Foreign Investment in the United States – South Dakota that is not  
31 accompanied by an approval letter issued under section 15 of this Act."

32 On page 10, after line 14, of the Senate Agriculture and Natural Resources Engrossed bill,  
33 insert: "

34 **Section 21. That § 7-9-7.2 be AMENDED:**

35 **7-9-7.2.** The form of the certificate of value required by §§ 7-9-7~~and~~, 10-13-40, and section  
36 19 of this Act shall be established by the secretary of revenue by rule promulgated pursuant to  
37 chapter 1-26."

38 Which motion prevailed.

1 The question being "Shall **SB 185** pass as amended?"

2 And the roll being called:

3 Yeas 11, Nays 23, Excused 1, Absent 0

4 Yeas: Beal, Castleberry, Frye-Mueller, Klumb, Jack Kolbeck, Maher, Novstrup, Herman Otten,  
5 Stalzer, Tobin, and Wiik

6 Nays: Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Foster, Brent "B.R."  
7 Hoffman, Hunhoff, David Johnson, Steve Kolbeck, Larson, Mehlhaff, Nesiba, Pischke, Reed, Rohl,  
8 Schoenbeck, Schoenfish, Wheeler, Wink, and Zikmund

9 Excused: Diedrich

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

12 Sen. Tobin announced her intention to reconsider the vote by which **SB 185** lost.

13 **SB 189**: FOR AN ACT ENTITLED, An Act to prohibit purchasing agencies from contracting with  
14 companies owned or controlled by certain foreign entities or governments.

15 Was read the second time.

16 The question being "Shall **SB 189** pass as amended?"

17 And the roll being called:

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

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

23 Nays: Larson and Nesiba

24 Excused: Diedrich

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

27 **SB 206**: FOR AN ACT ENTITLED, An Act to clarify good cause for the purpose of continuing an  
28 involuntary commitment hearing.

29 Was read the second time.

30 The question being "Shall **SB 206** pass as amended?"

31 And the roll being called:

32 Yeas 31, Nays 3, Excused 1, Absent 0

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

5 Nays: Foster, Frye-Mueller, and Pischke

6 Excused: Diedrich

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 196:** FOR AN ACT ENTITLED, An Act to provide for the study of long-term care services  
10 and to provide an appropriation therefor.

11 Was read the second time.

12 Sen. Schoenbeck moved that **SB 196** be laid on the table.

13 The question being on Sen. Schoenbeck's motion that **SB 196** be laid on the table.

14 And the roll being called:

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

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

20 Excused: Diedrich

21 So the motion having received an affirmative vote of a majority of the members-elect, the  
22 President declared the motion carried and **SB 196** was tabled.

23 **SB 104:** FOR AN ACT ENTITLED, An Act to make an appropriation to enhance the economic  
24 viability and sustainability of South Dakota and to declare an emergency.

25 Was read the second time.

26 The question being "Shall **SB 104** pass?"

27 And the roll being called:

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

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

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

34 Excused: Diedrich

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

- 1        **SB 105:** FOR AN ACT ENTITLED, An Act to make an appropriation for improving the social and  
2        economic viability of South Dakota and to declare an emergency.
- 3        Was read the second time.
- 4        The question being "Shall **SB 105** pass?"
- 5        And the roll being called:
- 6        Yeas 30, Nays 4, Excused 1, Absent 0
- 7        Yeas: Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Duhamel, Foster,  
8        Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba,  
9        Novstrup, Herman Otten, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink,  
10       and Zikmund
- 11       Nays: Beal, Frye-Mueller, Brent "B.R." Hoffman, and Pischke
- 12       Excused: Diedrich
- 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       **SB 111:** FOR AN ACT ENTITLED, An Act to establish and modify provisions related to economic  
16       development.
- 17       Was read the second time.
- 18       The question being "Shall **SB 111** pass?"
- 19       And the roll being called:
- 20       Yeas 31, Nays 3, Excused 1, Absent 0
- 21       Yeas: Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Duhamel, Foster,  
22       Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba,  
23       Novstrup, Herman Otten, Pischke, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler,  
24       Wiik, Wink, and Zikmund
- 25       Nays: Beal, Frye-Mueller, and Brent "B.R." Hoffman
- 26       Excused: Diedrich
- 27       So the bill having received an affirmative vote of a majority of the members-elect, the President  
28       declared the bill passed and the title was agreed to.
- 29       **SB 112:** FOR AN ACT ENTITLED, An Act to establish and modify provisions related to taxation.
- 30       Was read the second time.
- 31       The question being "Shall **SB 112** pass?"
- 32       And the roll being called:
- 33       Yeas 30, Nays 4, Excused 1, Absent 0

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

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

6 Excused: Diedrich

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 113:** FOR AN ACT ENTITLED, An Act to establish and modify provisions related to  
10 education.

11 Was read the second time.

12 The question being "Shall **SB 113** pass?"

13 And the roll being called:

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

15 Yeas: Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Duhamel, Foster,  
16 Hunhoff, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba,  
17 Novstrup, Herman Otten, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink,  
18 and Zikmund

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

20 Excused: Diedrich

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

23 **SB 114:** FOR AN ACT ENTITLED, An Act to establish and modify provisions related to public  
24 safety.

25 Was read the second time.

26 Sen. Maher moved that **SB 114** be laid on the table.

27 The question being on Sen. Maher's motion that **SB 114** be laid on the table.

28 And the roll being called:

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

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

34 Nays: Pischke

35 Excused: Diedrich

1 So the motion having received an affirmative vote of a majority of the members-elect, the  
2 President declared the motion carried and **SB 114** was tabled.

3 **SIGNING OF BILLS**

4 The President publicly read the title to

5 **SB 19:** FOR AN ACT ENTITLED, An Act to make an appropriation for the payment of  
6 extraordinary litigation expenses and to declare an emergency.

7 **SB 25:** FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse health care  
8 professionals who have complied with the requirements for health care recruitment assistance  
9 programs and to declare an emergency.

10 **SB 56:** FOR AN ACT ENTITLED, An Act to revise requirements to relocate a county seat.

11 **SB 98:** FOR AN ACT ENTITLED, An Act to identify the means of conducting a criminal  
12 background check for the renewal of a gold card or an enhanced permit to carry a concealed pistol.

13 **HB 1054:** FOR AN ACT ENTITLED, An Act to provide a stipend for the erection of a private  
14 headstone for a deceased veteran.

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

16 Sen. Deibert moved that the Senate do now adjourn, which motion prevailed and at 3:49 p.m.  
17 the Senate adjourned.

18 Kay Johnson, Secretary