

JOURNAL OF THE SENATE

NINETY-EIGHTH SESSION

THIRTY-FOURTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, March 06, 2023

The Senate convened at 1:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Fr. Joe Holzhauser, followed by the Pledge of Allegiance led by Senate pages Paetyn Cole and Angeth Mayen.

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 33rd 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 Paetyn Cole, Angeth Mayen, Mary Mehlhaff, Emily Robbins, Natalie Severson, Gianna
3 Stangeland.

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

5 **REPORTS OF STANDING COMMITTEES**

6 Mr. President:

7 The Joint Committee on Legislative Procedure respectfully reports that it has under
8 consideration the proposed calendars for the Ninety-ninth Legislative Session and respectfully
9 recommends to the Legislature in 2024 the days of the Ninety-ninth Legislative Session be adopted
10 as shown below:

11 **99th SOUTH DAKOTA LEGISLATIVE SESSION CALENDAR**

12 **2024  38 Legislative Days – APPLE plus version**

13 *Please refer to the Joint Rules, Chapter 17 for complete information.*

14

	Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat	
January 2024		1	2	3	4	5	6	
	7	8	9 Session Opens 12 Noon(CST) (Constitution, Art. III, Sec. 7) <i>State of the State</i> LD 1	10 <i>State of the Judiciary (11:00am)</i> <i>State of the Tribes (1:00pm)</i> LD 2	11	12	13	LD 3 LD 4
	14	15 <i>Martin Luther King Jr. Day</i>	16 Executive orders filed (Constitution, Art. IV, Sec. 8) LD 5	17	18 <i>Jt. Memorial Service 3:00pm</i> LD 7	19	20 LD 8	
	21	22	23 Bill and resolution draft requests due to LRC by 5:00pm (for unlimited introduction) LD 9	24	25 Last day for unlimited bill and resolution introduction (JR 6B- 3) (TWO HOURS prior to session) LD 11	26	27 LD 12	
	28	29 All bill and resolution draft requests due to LRC by 5:00pm LD 13	30 Committee bill and resolution draft requests due to LRC by 5:00pm LD 14	31 Last day for introduction of individual bills and resolutions (TWO HOURS prior to session) LD 15	1 Last day for introduction of committee bills and resolutions (TWO HOURS prior to session) LD 16	2	3 LD 17	

February 2024	4	5	6	7	8	9	10
		LD 18	LD 19	LD 20	LD 21		
	11	12	13	14	15	16	17
		LD 22	LD 23	LD 24	LD 25		
					Last day for JCA selection of general fund revenue targets (JR 7-11.1)		
18	19	20	21	22	23	24	
	<i>Presidents' Day</i>	Last day to use JR 5-17, AND Last day to move required delivery of bills or resolutions by a committee to the house of origin	Last day to invoke JR 7-7 in the house of origin, AND Last day to pass bills or joint resolutions by the house of origin (Crossover Day),		Last day for JCA to move required delivery of special appropriation bills to house of origin (JR 17-1)		
		LD 26	LD 27	LD 28	LD 29		
25	26	27	28	29	1	2	
	Commemoration requests due to LRC by 5:00pm, AND Last day for house of origin to pass special appropriation bills referred from JCA (JR 17-1)		JR 5-13 in effect, AND Last day for introduction of commemorations (TWO HOURS prior to session)	Last day to move required delivery of bills or joint resolutions by a committee to the second house			
	LD 30	LD 31	LD 32	LD 33			
March 2024	3	4	5	6	7	8	9
		Last day for a bill or joint resolution to pass both houses, and Last day to invoke JR 7-7 in the second house					
		LD 34	LD 35	LD 36	LD 37		
	10	11	12	13	14	15	16
	17	18	19	20	21	22	23
24	25	26	27	28	29	30	
	Reserved for consideration of gubernatorial vetoes						
	LD 38						

1 Mr. President:

2 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
3 Enrolling has carefully compared **SB 64, 90, 139, 146, 161, 172, 173, and 189** and finds the
4 same correctly enrolled.

5 Respectfully submitted,
6 Lee A. Schoenbeck, Chair

7 Mr. President:

8 The Committee on Legislative Procedure respectfully reports that **SB 8, 18, 33, 42, 103, 108,**
9 **115, 129, and 176** were delivered to her Excellency, the Governor, for her approval at 10:15 a.m.,
10 March 3, 2023.

11 Respectfully submitted,
12 Lee A. Schoenbeck, Chair

13 **MESSAGES FROM THE HOUSE**

14 Mr. President:

15 I have the honor to inform your honorable body that the House has concurred in Senate
16 amendments to **HB 1127 and 1154**.

17 Also Mr. President:

18 I have the honor to inform your honorable body that **SB 3, 74, 82, and 206** were lost on
19 second reading and final passage.

20 Also Mr. President:

21 I have the honor to inform your honorable body that **SB 82 and 206** were tabled.

22 Also Mr. President:

23 I have the honor to return herewith **SB 40 and 59** which have been amended by the House
24 and your concurrence in the amendments is respectfully requested.

25 Also Mr. President:

26 I have the honor to return herewith **SB 64, 90, and 189** which have passed the House without
27 change.

28 Also Mr. President:

29 I have the honor to inform your honorable body that the House has failed to concur in Senate
30 amendments to **HB 1022** and has appointed Representatives Derby (Chair), Krull, and Karr as a
31 committee of three on the part of the House to meet with a like committee on the part of the Senate
32 to adjust the differences between the two houses.

33 Respectfully,
34 Patricia Miller, Chief Clerk

1 The President Pro Tempore appointed Senators Hunhoff (Chair), Wiik, and Hoffman as a
2 committee of three on the part of the Senate to meet with a like committee on the part of the House
3 to adjust the differences between the two houses on **HB 1022**.

4 **MOTIONS AND RESOLUTIONS**

5 Sen. Tobin moved that the Senate do concur in House amendments to **SB 4**.

6 Sen. Schoenbeck made a substitute motion that the Senate do not concur in House
7 amendments to **SB 4** and that a committee of three on the part of the Senate be appointed to meet
8 with a like committee on the part of the House to adjust the differences between the two houses.

9 The President, being in doubt of the voice vote, called for a Division of the Senate.

10 The question being on Sen. Schoenbeck's substitute motion that the Senate do not concur in
11 House amendments to **SB 4** and that a committee of three on the part of the Senate be appointed
12 to meet with a like committee on the part of the House to adjust the differences between the two
13 houses.

14 Which motion lost.

15 The question being on Sen. Tobin's motion that the Senate do concur in House amendments
16 to **SB 4**.

17 And the roll being called:

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

19 Yeas: Bordeaux, Breitling, Castleberry, Crabtree, Davis, Diedrich, Duhamel, Frye-Mueller,
20 Hoffman, Hunhoff, Johnson, Klumb, Jack Kolbeck, Larson, Maher, Mehlhaff, Novstrup, Herman
21 Otten, Reed, Rohl, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, and Zikmund

22 Nays: Beal, Bolin, Deibert, Foster, Steve Kolbeck, Nesiba, Pischke, Schoenbeck, and Wink

23 So the motion having received an affirmative vote of a majority of the members-elect, the
24 President declared the motion carried and the amendments were concurred in.

25 Sen. Reed moved that the Senate do concur in House amendments to **SB 120**.

26 The question being on Sen. Reed's motion that the Senate do concur in House amendments to
27 **SB 120**.

28 And the roll being called:

29 Yeas 29, Nays 6, Excused 0, Absent 0

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

33 Nays: Beal, Foster, Frye-Mueller, Maher, Herman Otten, and Pischke

34 So the motion having received an affirmative vote of a majority of the members-elect, the
35 President declared the motion carried and the amendments were concurred in.

1 Sen. Wheeler moved that the Senate do concur in House amendments to **SB 160**.

2 The question being on Sen. Wheeler's motion that the Senate do concur in House amendments
3 to **SB 160**.

4 And the roll being called:

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

6 Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich,
7 Duhamel, Foster, Frye-Mueller, Hoffman, Hunhoff, Klumb, Jack Kolbeck, Steve Kolbeck, Larson,
8 Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Reed, Rohl, Schoenbeck, Schoenfish,
9 Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

10 Nays: Johnson

11 So the motion having received an affirmative vote of a majority of the members-elect, the
12 President declared the motion carried and the amendments were concurred in.

13 Sen. Frye-Mueller and Sen. Pischke moved for the establishment of a Select Committee on
14 Discipline and Expulsion (Rule S8-1) to investigate the conduct of Sen. Schoenbeck regarding
15 disparaging comments made in both Senate Committees and on the Senate Floor.

16 Motion failed for lack of a second.

17 Sen. Crabtree moved that the consideration of the executive appointments of Jim White,
18 Steven Perkins, Vaughn Beck, Steve Westra, and Robert Whitmyre be deferred to Tuesday, March
19 7, 2023, the 35th legislative day.

20 Which motion prevailed.

21 Sen. Crabtree moved that **HB 1137** be placed to follow **1176, 1167** be placed to
22 precede **1106, and 1239** be placed to follow **1144** on today's calendar.

23 Which motion prevailed and **HB 1137, 1167, and 1239** were so placed.

24 Sen. Crabtree moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on
25 Tuesday, March 7, 2023, the 35th legislative day.

26 Which motion prevailed.

27 **CONSIDERATION OF REPORTS OF COMMITTEES**

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

29 Commerce and Energy on **HB 1239** as found on page 403 of the Senate Journal; and

30 Judiciary on **HB 1240** as found on page 404 of the Senate Journal be adopted.

31 Which motion prevailed and the reports were adopted.

1

SECOND READING OF CONSENT CALENDAR ITEMS

2

Sen. Frye-Mueller requested that **HB 1174** be removed from the Consent Calendar and placed at the top of today's calendar.

3

4

HB 1240: FOR AN ACT ENTITLED, An Act to amend provisions addressing guardianships and conservatorships.

5

6

Was read the second time.

7

The question being "Shall **HB 1240** pass as amended?"

8

And the roll being called:

9

Yeas 35, Nays 0, Excused 0, Absent 0

10

Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Foster, Frye-Mueller, Hoffman, Hunhoff, 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

11

12

13

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

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

17

HB 1174: FOR AN ACT ENTITLED, An Act to provide for appropriate civil commitment of certain persons.

18

19

Was read the second time.

20

The question being "Shall **HB 1174** pass as amended?"

21

And the roll being called:

22

Yeas 34, Nays 1, Excused 0, Absent 0

23

Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Foster, Hoffman, Hunhoff, 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

24

25

26

27

Nays: 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

HB 1167: FOR AN ACT ENTITLED, An Act to annually adjust the rate for community-based providers to one hundred percent of methodology.

31

32

Was read the second time.

33

Sen. Breitling moved that **HB 1167** be laid on the table.

1 The question being on Sen. Breitling's motion that **HB 1167** be laid on the table.

2 And the roll being called:

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

4 Yeas: Beal, Bolin, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Frye-
5 Mueller, Hoffman, Hunhoff, Klumb, Jack Kolbeck, Steve Kolbeck, Maher, Mehlhaff, Herman Otten,
6 Pischke, Reed, Schoenbeck, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

7 Nays: Bordeaux, Foster, Johnson, Larson, Nesiba, Novstrup, Rohl, and Schoenfish

8 So the motion having received an affirmative vote of a majority of the members-elect, the
9 President declared the motion carried and **HB 1167** was tabled.

10 **HB 1106:** FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to poll
11 watchers.

12 Was read the second time.

13 The question being "Shall **HB 1106** pass as amended?"

14 And the roll being called:

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

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

20 Nays: Frye-Mueller and Pischke

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 **HB 1220:** FOR AN ACT ENTITLED, An Act to provide that a female who undergoes an unlawful
24 abortion may not be held criminally liable.

25 Was read the second time.

26 The question being "Shall **HB 1220** pass as amended?"

27 And the roll being called:

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

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

33 Nays: Frye-Mueller

34 Excused: Pischke

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

3 **HB 1170:** FOR AN ACT ENTITLED, An Act to establish mandatory sentences for certain driving
4 while under the influence violations.

5 Was read the second time.

6 Sen. Wheeler moved that **HB 1170** be amended as follows:

7 1170E

8 On page 4, after line 4, of the House Engrossed bill, insert: "

9 **Section 4. That a NEW SECTION be added:**

10 The sentencing court may impose a sentence other than that which is required by § 32-23-
11 4.6, 32-23-4.7, or 32-23-4.9, if the court finds that mitigating circumstances exist which require a
12 departure from the mandatory sentence imposed. The court's finding of mitigating circumstances
13 and the factual basis relied upon by the court must be in writing."

14 And the roll being called:

15 Yeas 13, Nays 22, Excused 0, Absent 0

16 Yeas: Bordeaux, Davis, Foster, Johnson, Larson, Maher, Nesiba, Reed, Rohl, Schoenfish, Tobin,
17 Wheeler, and Zikmund

18 Nays: Beal, Bolin, Breitling, Castleberry, Crabtree, Deibert, Diedrich, Duhamel, Frye-Mueller,
19 Hoffman, Hunhoff, Klumb, Jack Kolbeck, Steve Kolbeck, Mehlhaff, Novstrup, Herman Otten, Pischke,
20 Schoenbeck, Stalzer, Wiik, and Wink

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

23 The question being "Shall **HB 1170** pass as amended?"

24 And the roll being called:

25 Yeas 23, Nays 12, Excused 0, Absent 0

26 Yeas: Beal, Bolin, Breitling, Castleberry, Crabtree, Deibert, Diedrich, Duhamel, Frye-Mueller,
27 Hoffman, Hunhoff, Johnson, Klumb, Steve Kolbeck, Mehlhaff, Novstrup, Herman Otten, Pischke,
28 Schoenbeck, Schoenfish, Stalzer, Wiik, and Wink

29 Nays: Bordeaux, Davis, Foster, Jack Kolbeck, Larson, Maher, Nesiba, Reed, Rohl, Tobin,
30 Wheeler, and Zikmund

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

33 **HB 1065:** FOR AN ACT ENTITLED, An Act to increase the maximum amount of dollars payable
34 by the state to erect the headstone of a deceased veteran.

35 Was read the second time.

1 The question being "Shall **HB 1065** pass?"

2 And the roll being called:

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

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

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

10 **HB 1226:** FOR AN ACT ENTITLED, An Act to regulate industrial hemp-derived delta-8 and
11 delta-10 tetrahydrocannabinol products, and other hemp-derived psychoactive compounds, and to
12 declare an emergency.

13 Was read the second time.

14 Sen. Davis moved that **HB 1226** be laid on the table.

15 The question being on Sen. Davis' motion that **HB 1226** be laid on the table.

16 And the roll being called:

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

18 Yeas: Bolin, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Frye-Mueller,
19 Hoffman, Hunhoff, Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Maher, Mehlhaff, Novstrup,
20 Herman Otten, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Wheeler, Wiik, Wink, and Zikmund

21 Nays: Beal, Bordeaux, Foster, Larson, Nesiba, Pischke, and Tobin

22 So the motion having received an affirmative vote of a majority of the members-elect, the
23 President declared the motion carried and **HB 1226** was tabled.

24 **HB 1176:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding on-sale
25 alcoholic beverage licenses for use at municipality-owned facilities.

26 Was read the second time.

27 Sen. Rohl moved that **HB 1176** be amended as follows:

28 1176H

29 On page 1, after line 24, of the Senate Local Government Engrossed bill, insert: "

30 **Section 2. That chapter 42-7A be amended with a NEW SECTION:**

31 No video lottery machines may be placed in a facility with an on-sale license issued pursuant
32 to section 1 of this Act."

33 Which motion prevailed.

1 The question being "Shall **HB 1176** pass as amended?"

2 And the roll being called:

3 Yeas 30, Nays 5, Excused 0, Absent 0

4 Yeas: Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel,
5 Foster, Hoffman, Hunhoff, Johnson, Klumb, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba,
6 Novstrup, Pischke, Reed, Rohl, Schoenbeck, Schoenfish, Tobin, Wheeler, Wiik, Wink, and Zikmund

7 Nays: Beal, Frye-Mueller, Jack Kolbeck, Herman Otten, and Stalzer

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

10 **HB 1137**: FOR AN ACT ENTITLED, An Act to reduce certain gross receipts tax rates and a use
11 tax rate, and to repeal a conditional reduction of certain gross receipts tax rates.

12 Was read the second time.

13 Sen. Maher moved that **HB 1137** be amended as follows:

14 1137G

15 On page 1, line 6, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
16 " three-tenths"

17 On page 1, line 11, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
18 " three-tenths"

19 On page 2, line 4, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
20 " three-tenths"

21 On page 2, line 10, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
22 " three-tenths"

23 On page 2, line 17, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
24 " three-tenths"

25 On page 3, line 5, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
26 " three-tenths"

27 On page 3, line 16, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
28 " three-tenths"

29 On page 3, line 20, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
30 " three-tenths"

31 On page 3, line 27, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
32 " three-tenths"

33 On page 4, line 12, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
34 " three-tenths"

35 On page 4, line 14, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
36 " three-tenths"

1 On page 4, line 19, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
2 " three-tenths"

3 On page 4, line 28, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
4 " three-tenths"

5 On page 5, line 17, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
6 " three-tenths"

7 On page 5, line 20, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
8 " three-tenths"

9 On page 5, line 28, of the Senate Appropriations Engrossed bill, delete " two-tenths" and insert
10 " three-tenths"

11 Which motion prevailed.

12 Sen. Hoffman moved that **HB 1137** be amended as follows:

13 1137H

14 On page 6, line 13, of the Senate Appropriations Engrossed bill, after "section." delete "Section
15 18. The amendments to the Code sections in sections 1 to 16, inclusive, of this Act are repealed on
16 June 30, 2025, and those Code sections will revert in word and substance to that which existed
17 immediately prior to the effective date of this Act."

18 Which motion lost.

19 The question being "Shall **HB 1137** pass as amended?"

20 And the roll being called:

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

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

26 Nays: Larson and Nesiba

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 **SIGNING OF BILLS**

30 The President publicly read the title to

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

33 **SB 75:** FOR AN ACT ENTITLED, An Act to revise provisions related to parental support for
34 expenses related to pregnancy and childbirth.

1 **SB 90:** FOR AN ACT ENTITLED, An Act to provide certain definitions related to the crime of
2 rape.

3 **SB 139:** FOR AN ACT ENTITLED, An Act to revise residency requirements for the purposes of
4 voter registration.

5 **SB 146:** FOR AN ACT ENTITLED, An Act to limit parole for violent offenders.

6 **SB 161:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Office of the Secretary
7 of State for voter roll maintenance, ballot machines, and election security.

8 **SB 172:** FOR AN ACT ENTITLED, An Act to make an appropriation for design costs related to
9 the health services center at Black Hills State University–Rapid City, and to declare an emergency.

10 **SB 173:** FOR AN ACT ENTITLED, An Act to make an appropriation for design costs related to
11 the new Lincoln Hall at Northern State University, and to declare an emergency.

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

14 **HB 1016:** FOR AN ACT ENTITLED, An Act to authorize the South Dakota Department of
15 Corrections to construct a prison facility for offenders committed to the Department of Corrections
16 in Rapid City, to make an appropriation therefor, and to declare an emergency.

17 **HB 1017:** FOR AN ACT ENTITLED, An Act to authorize the Department of Corrections to
18 purchase certain real property, to contract for the design of a prison facility for offenders committed
19 to the Department of Corrections, to make an appropriation therefor, to transfer funds to the
20 incarceration construction fund, and to declare an emergency.

21 **HB 1023:** FOR AN ACT ENTITLED, An Act to make an appropriation for the construction of a
22 maintenance shop for the Wildland Fire Suppression Division in Rapid City and to declare an
23 emergency.

24 **HB 1024:** FOR AN ACT ENTITLED, An Act to make an appropriation for the construction of a
25 maintenance shop for the Wildland Fire Suppression Division in Hot Springs and to declare an
26 emergency.

27 **HB 1035:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of
28 Revenue for the modernization of the motor vehicle administration system, and to declare an
29 emergency.

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

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

34 **HB 1175:** FOR AN ACT ENTITLED, An Act to update references to the Governor, lieutenant
35 governor, and other persons.

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

37 There being no objection, the Senate reverted to Order of Business No. 7 - Messages from
38 the House.

MESSAGES FROM THE HOUSE

1

2 Mr. President:

3 I have the honor to inform your honorable body that the House has failed to concur in Senate
4 amendments to **HB 1141** and has appointed Representatives Mortenson (Chair), Rehfeldt, and
5 Chaffee as a committee of three on the part of the House to meet with a like committee on the part
6 of the Senate to adjust the differences between the two houses.

7

8

Respectfully,
Patricia Miller, Chief Clerk

9 The President Pro Tempore appointed Senators Crabtree (Chair), Schoenbeck, and Nesiba as
10 a committee of three on the part of the Senate to meet with a like committee on the part of the
11 House to adjust the differences between the two houses on **HB 1141**.

12

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

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

15 Was read the second time.

16 Sen. Schoenbeck moved that **HB 1093** be laid on the table.

17 The question being on Sen. Schoenbeck's motion that **HB 1093** be laid on the table.

18 And the roll being called:

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

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

24 So the motion having received an affirmative vote of a majority of the members-elect, the
25 President declared the motion carried and **HB 1093** was tabled.

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

28 Was read the second time.

29 Sen. Herman Otten moved that **HB 1094** be amended as follows:

30

1094C

31 On page 1, line 1, of the Introduced bill, delete "make an appropriation to increase the success
32 of South Dakota and to declare an emergency" and insert "lower the state sales tax rate and the
33 state use tax rate on food to zero percent, and to repeal a conditional reduction of certain gross
34 receipts tax rates"

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

1

"

2

Section 1. That § 10-45-1 be AMENDED:

3

10-45-1. Terms used in this chapter mean:

4

(1) "Agricultural purposes," the producing, raising, growing, or harvesting of food or fiber upon agricultural land, including dairy products, livestock, and crops. The services of custom harvesters, chemical applicators, fertilizer spreaders, hay grinders, and cultivators are considered agricultural purposes. The harvesting of timber on land within the state is considered an agricultural purpose;

9

(2) "Business," any activity engaged in by any person or caused to be engaged in by such person with the object of gain, benefit, or advantage, either direct or indirect;

10

11

(3) "Candy," any preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. The term, candy, does not include any preparation containing flour and does not require refrigeration;

12

13

14

15

(4) "Delivery charges," charges by the retailer for preparation and delivery to a location designated by the purchaser of tangible personal property, any product transferred electronically, or services including transportation, shipping, postage, handling, crating, and packing. The term does not include postage for direct mail;

16

17

18

19

(5) "Food" and "food ingredient," any substance, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that is sold for ingestion or chewing by humans and is consumed for its taste or nutritional value. The term, food, does not include any:

20

21

22

~~(a) alcoholic beverages,~~ Alcoholic beverage as defined by § 35-1-1;

23

~~(b) tobacco,~~ Tobacco product as defined by § 10-50-1;

24

~~(c) Cigarette as defined by § 10-50B-4;~~

25

~~(d) Cannabis or cannabis product as defined by § 34-20G-1; or~~

26

~~(e) prepared~~ Prepared food;

27

(6) Repealed by SL 2007, ch 56, § 1.

28

29

30

(7) "Person," any individual, firm, copartnership, joint adventure, association, limited liability company, corporation, municipal corporation, estate, trust, business trust, receiver, the State of South Dakota and its political subdivisions, or any group or combination acting as a unit;

31

32

33

34

(8) "Prepared food," any food sold in a heated state or heated by the seller; two or more food ingredients mixed or combined by the seller for sale as a single item; or food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate does not include a container or packaging used to transport the food.

35

36

37

38

Prepared food does not include food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the Food and Drug Administration in chapter 3, part 401.11 of its Food Code as of January 1, 2003, so as to prevent food borne illnesses;

39

40

41

(8A) "Product transferred electronically," any product obtained by the purchaser by means other than tangible storage media. A product transferred electronically does not include any intangible such as a patent, stock, bond, goodwill, trademark, franchise, or copyright.

1 (9) "Relief agency," the state, and county, municipality or district thereof, or any agency
2 engaged in actual relief work;

3 (10) "Retail sale" or "sale at retail," any sale, lease, or rental for any purpose other than
4 for resale, sublease, or subrent;

5 (11) "Retailer," any person engaged in the business of selling tangible goods, wares, or
6 merchandise at retail, or the furnishing of gas, electricity, water, and communication service, and
7 tickets or admissions to places of amusement and athletic events as provided in this chapter, and
8 the sale at retail of products transferred electronically. The term also includes any person subject
9 to the tax imposed by §§ 10-45-4 and 10-45-5. The isolated or occasional sale of tangible personal
10 property or any product transferred electronically at retail by a person who does not hold himself or
11 herself out as engaging in the business of selling such tangible personal property or products
12 transferred electronically at retail does not constitute such person a retailer;

13 (12) "Sale," any transfer, exchange, or barter, conditional or otherwise, in any manner
14 or by any means whatsoever, for a consideration;

15 (13) "Soft drinks," any nonalcoholic beverages that contain natural or artificial
16 sweeteners. The term, soft drinks, does not include any beverage that contains milk or milk
17 products, soy, rice or similar milk substitutes, or greater than fifty percent of vegetable or fruit juice
18 by volume;

19 (14) "Tangible personal property," personal property that can be seen, weighed,
20 measured, felt, or touched, or that is in any other manner perceptible to the senses. The term
21 includes electricity, water, gas, steam, and prewritten computer software.

22 **Section 2. That chapter 10-45 be amended with a NEW SECTION:**

23 The rate of tax imposed by this chapter on retailers upon the gross receipts of all sales of food
24 and food ingredients as defined by § 10-45-1 is zero percent.

25 **Section 3. That § 10-46-1 be AMENDED:**

26 **10-46-1.** Terms, as used in this chapter mean:

27 (1) "Business," any activity engaged in by any person or caused to be engaged in by
28 such person with the object of gain, benefit or advantage either direct or indirect;

29 (2) "Candy," any preparation of sugar, honey, or other natural or artificial sweeteners
30 in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars,
31 drops, or pieces. The term, candy, does not include any preparation containing flour and does not
32 require refrigeration;

33 (3) "Delivery charges," charges by the retailer for preparation and delivery to a location
34 designated by the purchaser of tangible personal property, any product transferred electronically,
35 or services including transportation, shipping, postage, handling, crating, and packing. The term
36 does not include postage for direct mail;

37 (4) "Fair market value," the price at which a willing seller and willing buyer will trade.
38 Fair market value shall be determined at the time of purchase. If a public corporation is supplying
39 tangible personal property or any product transferred electronically that will be used in the
40 performance of a contract, fair market value shall be determined pursuant to § 5-18B-7. This
41 definition also applies to chapter 10-45;

42 (5) "Food" and "food ingredient," any substance, whether in liquid, concentrated, solid,
43 frozen, dried, or dehydrated form, that is sold for ingestion or chewing by humans and is consumed
44 for its taste or nutritional value. The term, food, does not include any;

45 (a) alcoholic beverages, Alcoholic beverage as defined by § 35-1-1;

1 ~~(b) tobacco,~~ Tobacco product as defined by § 10-50-1;

2 (c) Cigarette as defined by § 10-50B-4;

3 (d) Cannabis or cannabis product as defined by § 34-20G-1, or

4 ~~(e) prepared~~ Prepared food;

5 (6) "Included in the measure of tax," the tangible personal property, any product
6 transferred electronically, or the service was purchased from a retailer licensed under chapter 10-
7 45 and that retailer has included the tax in the amount received from the sale;

8 (7) "In this state" or "in the state," within the exterior limits of the State of South Dakota
9 and includes all territory within such limits owned by or ceded to the United States of America;

10 (8) "Prepared food," any food sold in a heated state or heated by the seller; two or more
11 food ingredients mixed or combined by the seller for sale as a single item; or food sold with eating
12 utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or
13 straws. A plate does not include a container or packaging used to transport the food.

14 Prepared food does not include food that is only cut, repackaged, or pasteurized by the seller,
15 and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the
16 consumer as recommended by the Food and Drug Administration in chapter 3, part 401.11 of its
17 Food Code as of January 1, 2003, so as to prevent food borne illnesses;

18 (8A) "Product transferred electronically," any product obtained by the purchaser by
19 means other than tangible storage media. A product transferred electronically does not include any
20 intangible such as a patent, stock, bond, goodwill, trademark, franchise, or copyright.

21 (9) "Purchase," any transfer, exchange, or barter, conditional or otherwise, in any
22 manner or by any means whatsoever, for a consideration. A transaction, whereby the possession of
23 property is transferred but the seller retains the title as security for the payment of the price, is a
24 purchase;

25 (10) "Purchase price," shall have the same meaning as gross receipts defined in chapter
26 10-45;

27 (11) "Retailer," any person performing services in this state or engaged in the business
28 of selling tangible personal property or products transferred electronically for use, storage or other
29 consumption within the meaning of this chapter. However, if in the opinion of the secretary of
30 revenue, it is necessary for the efficient administration of this chapter to regard any salesmen,
31 representatives, truckers, peddlers, or canvassers as agents of the dealers, distributors, supervisors,
32 employers, or persons under whom they operate or from whom they obtain the tangible personal
33 property or any product transferred electronically sold by them irrespective of whether they are
34 making sales on their own behalf or on behalf of such dealers, distributors, supervisors, employers,
35 or persons, the secretary of revenue may so regard them and may regard the dealers, distributors,
36 supervisors, employers, or persons as retailers for purposes of this chapter;

37 (12) "Retailer maintaining a place of business in the state," any retailer having or
38 maintaining within this state, directly or by a subsidiary, an office, distribution house, sales house,
39 warehouse, or other place of business, or any agents operating within the state under the authority
40 of the retailer or its subsidiary, irrespective of whether such place of business or agent is located
41 here permanently or temporarily or whether such retailer or subsidiary is admitted to do business
42 within this state pursuant to the laws of the State of South Dakota granting the rights of foreign
43 corporations to do business in this state;

44 (13) "Secretary," the secretary of the Department of Revenue or any duly authorized and
45 appointed assistant, deputies, or agents of the secretary charged with the administration or
46 enforcement of this chapter;

1 (14) "Soft drinks," any nonalcoholic beverages that contain natural or artificial
2 sweeteners. The term, soft drinks, does not include any beverage that contains milk or milk
3 products, soy, rice or similar milk substitutes, or greater than fifty percent of vegetable or fruit juice
4 by volume;

5 (15) "Storage," any keeping or retention in this state for use or other consumption in the
6 State of South Dakota for any purpose except sale in the regular course of business;

7 (16) "Tangible personal property," personal property that can be seen, weighed,
8 measured, felt, or touched, or that is in any other manner perceptible to the senses if furnished or
9 delivered to consumers or users within this state. The term includes electricity, water, gas, steam,
10 and prewritten computer software;

11 (17) "Use," the exercise of right or power over tangible personal property or any product
12 transferred electronically incidental to the ownership of that property, except that it does not include
13 the sale of that property in the regular course of business. Use also includes the use of the types of
14 services, the gross receipts from the sale of which are to be included in the measure of the tax
15 imposed by chapter 10-45, and the delivery or causing delivery into this state of tangible personal
16 property or any product transferred electronically intended to advertise any product or service or
17 promote or facilitate any sale to South Dakota residents.

18 **Section 4. That chapter 10-46 be amended with a NEW SECTION:**

19 The rate of tax imposed by this chapter on the use, storage, or consumption in this state of
20 food and food ingredients as defined by § 10-46-1 is zero percent.

21 **Section 5. That § 10-64-9 be REPEALED:**

22 ~~If the state is able to enforce the obligation to collect and remit sales tax on remote sellers~~
23 ~~who deliver tangible personal property, products transferred electronically, or services directly to~~
24 ~~the citizens of South Dakota, the additional net revenue from such obligation shall be used to reduce~~
25 ~~the rate of certain taxes. The rate of tax imposed by §§ 10-45-2, 10-45-5, 10-45-5.3, 10-45-6, 10-~~
26 ~~45-6.1, 10-45-6.2, 10-45-8, 10-45-71, 10-46-2.1, 10-46-2.2, 10-46-58, 10-46-69, 10-46-69.1,~~
27 ~~10-46-69.2, 10-46E-1, and 10-58-1 shall be reduced by one-tenth percent on July first following~~
28 ~~the calendar year for which each additional twenty million dollar increment of net revenue is~~
29 ~~collected and remitted by such remote sellers. However, the rate of tax imposed by §§ 10-45-2, 10-~~
30 ~~45-5, 10-45-5.3, 10-45-6, 10-45-6.1, 10-45-6.2, 10-45-8, 10-45-71, 10-46-2.1, 10-46-2.2, 10-~~
31 ~~46-58, 10-46-69, 10-46-69.1, 10-46-69.2, 10-46E-1, and 10-58-1 may not be reduced below four~~
32 ~~percent pursuant to the provisions of this section."~~

33 Sen. Herman Otten requested a roll call vote.

34 Which request was supported.

35 The question being on Sen. Herman Otten's motion that **HB 1094** be amended.

36 And the roll being called:

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

38 Yeas: Beal, Bordeaux, Castleberry, Foster, Frye-Mueller, Hoffman, Klumb, Steve Kolbeck,
39 Larson, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Schoenfish, Stalzer, Wiik, and Zikmund

40 Nays: Bolin, Breitling, Crabtree, Davis, Deibert, Diedrich, Duhamel, Hunhoff, Johnson, Jack
41 Kolbeck, Maher, Reed, Rohl, Schoenbeck, Tobin, Wheeler, and Wink

42 So the motion having received an affirmative vote of a majority of the members-elect, the
43 President declared the motion prevailed.

1 The question being "Shall **HB 1094** pass as amended?"

2 And the roll being called:

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

4 Yeas: Beal, Bordeaux, Castleberry, Foster, Frye-Mueller, Hoffman, Klumb, Steve Kolbeck,
5 Larson, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Schoenfish, Stalzer, Wiik, and Zikmund

6 Nays: Bolin, Breitling, Crabtree, Davis, Deibert, Diedrich, Duhamel, Hunhoff, Johnson, Jack
7 Kolbeck, Maher, Reed, Rohl, Schoenbeck, Tobin, Wheeler, and Wink

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

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

12 Was read the second time.

13 Sen. Crabtree moved that **HB 1142** be laid on the table.

14 The question being on Sen. Crabtree's motion that **HB 1142** be laid on the table.

15 And the roll being called:

16 Yeas 35, Nays 0, Excused 0, Absent 0

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

21 So the motion having received an affirmative vote of a majority of the members-elect, the
22 President declared the motion carried and **HB 1142** was tabled.

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

24 Was read the second time.

25 Sen. Crabtree moved that **HB 1144** be laid on the table.

26 The question being on Sen. Crabtree's motion that **HB 1144** be laid on the table.

27 And the roll being called:

28 Yeas 35, Nays 0, Excused 0, Absent 0

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

33 So the motion having received an affirmative vote of a majority of the members-elect, the
34 President declared the motion carried and **HB 1144** was tabled.

1 **HB 1239**: FOR AN ACT ENTITLED, An Act to prohibit a ban of gas services and appliances used
2 by consumers.

3 Was read the second time.

4 Sen. Crabtree moved that **HB 1239** be amended as follows:

5 1239F

6 On page 1, line 1, of the Senate Commerce and Energy Engrossed bill, after "of " insert "fuel
7 "

8 On page 1, line 1, of the Senate Commerce and Energy Engrossed bill, after "gas" delete "
9 services and"

10 On page 1, line 3, of the Senate Commerce and Energy Engrossed bill, delete "34-39 " and
11 insert "6-1 "

12 On page 1, line 5, of the Senate Commerce and Energy Engrossed bill, after "of" delete " fuel
13 gas or "

14 On page 1, line 8, of the Senate Commerce and Energy Engrossed bill, after "of" delete " fuel
15 gas or "

16 On page 1, line 9, of the Senate Commerce and Energy Engrossed bill, after "purpose" delete
17 "s"

18 On page 1, line 9, of the Senate Commerce and Energy Engrossed bill, after "of" delete "
19 section 1 and 2 of"

20 On page 1, line 11, of the Senate Commerce and Energy Engrossed bill, after "propane." delete
21 "Section 2. That chapter 49-34A be amended with a NEW SECTION:

22 "

23 On page 1, line 12, of the Senate Commerce and Energy Engrossed bill, after "SECTION:"
24 delete "No local ordinance or regulation may prohibit fuel gas utility service within the state. This
25 section does not apply to a generally applicable zoning ordinance, building regulation, or fire code
26 if the ordinance, regulation, or code is not used to prohibit a fuel gas utility service within the state."

27 Which motion prevailed.

28 The question being "Shall **HB 1239** pass as amended?"

29 And the roll being called:

30 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

1 Sen. Pischke moved that the Senate do now adjourn, which motion prevailed and at 4:32 p.m.
2 the Senate adjourned.

3

Kay Johnson, Secretary

