

JOURNAL OF THE SENATE

NINETY-EIGHTH SESSION

THIRTY-EIGHTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, March 27, 2023

The Senate convened at 9:00 a.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Rev. Mercy Hobbs, followed by the Pledge of Allegiance led by Senate page 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 37th day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Lee A. Schoenbeck, Chair

Which motion prevailed.

1

COMMUNICATIONS AND PETITIONS

2

March 15, 2023

3

Mr. President and Members of the Senate:

4

I have the honor to inform you that on March 14, 2023, I approved Senate Bills 23, 69, 134, 145, and 174, and the same have been deposited in the office of the Secretary of State.

5

6

Respectfully submitted,

7

Kristi Noem

8

Governor

9

March 15, 2023

10

Mr. President and Members of the Senate:

11

I have the honor to inform you that on March 15, 2023, I approved Senate Bills 17 and 21, and the same have been deposited in the office of the Secretary of State.

12

13

Respectfully submitted,

14

Kristi Noem

15

Governor

16

March 17, 2023

17

Mr. President and Members of the Senate:

18

I have the honor to inform you that on March 17, 2023, I approved Senate Bills 59 and 173, and the same have been deposited in the office of the Secretary of State.

19

20

Respectfully submitted,

21

Kristi Noem

22

Governor

23

March 20, 2023

24

Mr. President and Members of the Senate:

25

I have the honor to inform you that on March 20, 2023, I approved Senate Bills 4, 16, 24, 51, 53, 64, 70, 90, 91, 146, 168, and 210, and the same have been deposited in the office of the Secretary of State.

26

27

28

Respectfully submitted,

29

Kristi Noem

30

Governor

1 March 21, 2023

2 Mr. President and Members of the Senate:

3 I have the honor to inform you that on March 21, 2023, I approved Senate Bills 55, 113, 139,
4 140, 160, 161, and 207, and the same have been deposited in the office of the Secretary of State.

5 Respectfully submitted,
6 Kristi Noem
7 Governor

8 March 22, 2023

9 Mr. President and Members of the Senate:

10 I have the honor to inform you that on March 22, 2023, I approved Senate Bill 189, and the
11 same has been deposited in the office of the Secretary of State.

12 Respectfully submitted,
13 Kristi Noem
14 Governor

15 March 23, 2023

16 Mr. President and Members of the Senate:

17 I have the honor to inform you that on March 23, 2023, I approved Senate Bills 67, 75, 89,
18 and 172, and the same have been deposited in the office of the Secretary of State.

19 Respectfully submitted,
20 Kristi Noem
21 Governor

22 March 23, 2023

23 Mr. President and Members of the Senate:

24 I have the honor to inform you that on March 23, 2023, I approved Senate Bills 1, 35, 118,
25 120, 141, 159, 180, and 181, and the same have been deposited in the office of the Secretary of
26 State.

27 Respectfully submitted,
28 Kristi Noem
29 Governor

30 **ANNOUNCEMENTS**

31 The President Pro Tempore announced the following changes in committee assignments:
32 Sen. Johnson to the Senate Committee on Commerce and Energy and the Senate Committee on
33 Transportation, and Sen. Zikmund to the Senate Committee on Appropriations.

1

CONSIDERATION OF EXECUTIVE VETOES AND RECOMMENDATIONS

2

3 The Senate proceeded to the reconsideration of **SB 108**, pursuant to the veto of the Governor
4 and the veto message found on page 473 on the Senate Journal as provided in Article IV, Section
4, of the Constitution of the State of South Dakota.

5

The question being "Shall **SB 108** pass, the veto of the Governor notwithstanding?"

6

And the roll being called:

7

Yeas 5, Nays 30, Excused 0, Absent 0

8

Yeas: Bordeaux, Foster, Larson, Nesiba, and Schoenfish

9

10 Nays: Beal, Bolin, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Frye-
11 Mueller, Hoffman, Hunhoff, Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Maher, Mehlhaff,
12 Novstrup, Herman Otten, Pischke, Reed, Rohl, Schoenbeck, Stalzer, Tobin, Wheeler, Wiik, Wink,
and Zikmund

13

14 So the bill not having received an affirmative vote of a two-thirds majority of the members-
elect, the President declared the bill lost, sustaining the Governor's veto.

15

16 The Senate proceeded to the reconsideration of **SB 129**, pursuant to the veto of the Governor
17 and the veto message found on page 474 on the Senate Journal as provided in Article IV, Section
4, of the Constitution of the State of South Dakota.

18

The question being "Shall **SB 129** pass, the veto of the Governor notwithstanding?"

19

And the roll being called:

20

Yeas 20, Nays 15, Excused 0, Absent 0

21

22 Yeas: Bolin, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Hoffman,
23 Klumb, Jack Kolbeck, Steve Kolbeck, Mehlhaff, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wink,
and Zikmund

24

25 Nays: Beal, Bordeaux, Foster, Frye-Mueller, Hunhoff, Johnson, Larson, Maher, Nesiba,
Novstrup, Herman Otten, Pischke, Reed, Wheeler, and Wiik

26

27 So the bill not having received an affirmative vote of a two-thirds majority of the members-
elect, the President declared the bill lost, sustaining the Governor's veto.

28

29 There being no objection, the Senate reverted to Order of Business No. 5 - Reports of Standing
Committees.

30

REPORTS OF STANDING COMMITTEES

31

Mr. President:

32

33 The Committee on Legislative Procedure respectfully reports that the Senate has, pursuant to
34 the Governor's vetoes of **SB 108 and 129**, sustained those vetoes and delivered the same to her
Excellency, the Secretary of State, for filing at 10:40 a.m., March 27, 2023.

35

Respectfully submitted,
Lee A. Schoenbeck, Chair

36

1 The following prayer was offered by the Chaplain, Rev. Mercy Hobbs.

2 Let us pray.

3 Gracious God, As the 2023 Legislature session comes to a close, we give thanks for the time
4 and commitment these Senators have given. We appreciate the processes these women and men
5 have engaged in in order to bring the issues and concerns of their constituents they serve to their
6 committees and to the attention of their fellow senators.

7 We pray that they feel they represented their constituents well. If however their conscience
8 demanded that, through discernment, support for an issue opposite to what they initially were a
9 proponent for, they had the courage of conviction to support and vote for what was right.

10 We pray that these women and men continue to be open, through the spirit of wisdom, charity
11 and justice, to issues that arise that promote the well-being of not just their constituents but for all
12 people of the state of South Dakota.

13 All these things we pray in your name. Amen.

14 Sen. Crabtree moved that the Senate do now adjourn sine die in accordance with Article III,
15 Section 16 of the South Dakota Constitution, which motion prevailed, and at 10:45 a.m. the Senate
16 adjourned.

17 Kay Johnson, Secretary

