

JOURNAL OF THE SENATE

NINETY-NINTH SESSION

FIRST DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Tuesday, January 09, 2024

BE IT REMEMBERED, That on the ninth day of January, A.D., two thousand twenty four, at the hour of twelve o'clock meridian, being the date and hour fixed by the Constitution of the State of South Dakota, for the convening of the Legislature, the Ninety-ninth regular session of the Senate of the State of South Dakota was called to order by Lieutenant Governor Larry Rhoden in the Senate Chamber in the Capitol, in the City of Pierre, the seat of our government.

The following prayer was offered by the Chaplain, Reverend Craig Wexler, Pierre/Ft. Pierre Ministerial Association:

Gracious God, we gather today for the first day of this legislative season, once again. Some of us gather with excitement—some of us with anxiety—some of us already feeling defeated due to the toll of life's circumstances in our professional and personal lives—a weight that maybe no one else knows, but You, O, Lord. Help us in this moment to set aside any of these weary burdens—help us to set aside any of our preconceived notions or agendas—help us to set aside all of the worldly passions and distractions and help us to hear Your still voice pressing upon our hearts and minds, what it is you long for us to do in this work before us. Each day, gather us in our chambers, gather us in these hallways, gather us in this room, gather us in collegial kindness and ethics. Gather us into Your fold and give us Your wisdom for what you desire from us, and for the people who have elected us into these positions of leadership. Give us Your discernment each day, to do Your will, on behalf of the people of this great state of South Dakota. In Your holiest name we pray...Amen.

The Pledge of Allegiance to the flag of the United States was led by Senate page Elly Broers.

1 Unless there is an objection, we will place the Secretary of State's certification of members
2 of the Senate for the Ninety-ninth Legislative Session in the record without reading.

3 Hearing no objections, the certification is submitted.

4 I, MONAE L. JOHNSON, Secretary of State of the state of South Dakota, do hereby certify that
5 the following members, having been duly elected to the Senate at the general election held on
6 November 8, 2022, and were certified on November 15, 2022. I do hereby certify that these are
7 the members of the South Dakota Senate for the 2024 Legislative Session.

8 District No. 1: Brown, Day, Marshall, and Roberts Counties
9 Michael Rohl, Aberdeen

10 District No. 2: Minnehaha County
11 Steve Kolbeck, Brandon

12 District No. 3: Brown County
13 Al Novstrup, Aberdeen

14 District No. 4: Clark, Codington, Deuel, Grant, Hamlin, and Roberts Counties
15 John Wiik, Big Stone City

16 District No. 5: Codington County
17 Lee Schoenbeck, Watertown

18 District No. 6: Lincoln County
19 Herman Otten, Tea

20 District No. 7: Brookings County
21 Tim Reed, Brookings

22 District No. 8: Brookings, Kingsbury, Lake, and Miner Counties
23 Casey Crabtree, Madison

24 District No. 9: Minnehaha County
25 Brent "B.R." Hoffman, Sioux Falls

26 District No. 10: Minnehaha County
27 Liz Larson, Sioux Falls

28 District No. 11: Minnehaha County
29 Jim Stalzer, Sioux Falls

30 District No. 12: Lincoln and Minnehaha Counties
31 Arch Beal, Sioux Falls

32 District No. 13: Lincoln and Minnehaha Counties
33 Jack R. Kolbeck, Sioux Falls

34 District No. 14: Minnehaha County
35 Larry P. Zikmund, Sioux Falls

36 District No. 15: Minnehaha County
37 Reynold F. Nesiba, Sioux Falls

38 District No. 16: Lincoln, Turner, and Union Counties
39 Jim Bolin, Canton

40 District No. 17: Clay and Union Counties
41 Sydney Davis, Burbank

1	District No. 18:	Clay and Yankton Counties
2		Jean Hunhoff, Yankton
3	District No. 19:	Bon Homme, Hanson, Hutchinson, McCook, and Turner Counties
4		Kyle Schoenfish, Scotland
5	District No. 20:	Davison, Jerauld, Miner, and Sanborn Counties
6		Joshua Klumb, Mitchell
7	District No. 21:	Aurora, Charles Mix, Douglas, Gregory, and Tripp Counties
8		Erin Tobin, Winner
9	District No. 22:	Beadle, Clark, and Spink Counties
10		David Wheeler, Huron
11	District No. 23:	Brown, Campbell, Edmunds, Faulk, Hand, McPherson, Potter, and
12		Walworth Counties
13		Bryan Breitling, Miller
14	District No. 24:	Haakon, Hughes, Hyde, Stanley, and Sully Counties
15		Jim Mehlhaff, Pierre
16	District No. 25:	Minnehaha and Moody Counties
17		Tom Pischke, Dell Rapids
18	District No. 26:	Brule, Buffalo, Hughes, Hyde, Jones, Lyman, Mellette, and Todd
19		Counties
20		Shawn Bordeaux, Mission
21	District No. 27:	Bennett, Jackson, Oglala Lakota, and Pennington Counties
22		Red Dawn Foster, Pine Ridge
23	District No. 28:	Butte, Corson, Dewey, Harding, Perkins, and Ziebach Counties
24		Ryan M. Maher, Isabel
25	District No. 29:	Meade County
26		Dean Wink, Howes
27	District No. 30:	Custer, Fall River, and Pennington Counties
28		Julie Frye-Mueller, Rapid City
29	District No. 31:	Lawrence County
30		Randy Deibert, Spearfish
31	District No. 32:	Pennington County
32		Helene Duhamel, Rapid City
33	District No. 33:	Meade and Pennington Counties
34		David Johnson, Rapid City
35	District No. 34:	Pennington County
36		Michael Diedrich, Rapid City
37	District No. 35:	Pennington County

38 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State
 39 of South Dakota, this 9th day of January 2024.

40
 41 Monae L. Johnson
 Secretary of State

1 When the roll was called, all members were present except Sen. Kolbeck (Jack) who was
2 excused.

3 **COMMUNICATIONS AND PETITIONS**

4 The President Pro Tempore announced the following changes in committee assignments: Sen.
5 Duhamel to the Senate Committee on Transportation, Sen. Johnson to the Senate Committee on
6 Local Government, and Sen. Larson to the Senate Committee on Education and Vice-Chair of the
7 Senate Committee on Transportation.

8 MR. PRESIDENT:

9 The Committee on Legislative Procedure respectfully reports that the Governor has been
10 notified that the Legislature is duly organized and ready to meet in Joint Session to receive any
11 communications she may desire to transmit and that the Governor is ready to appear before the
12 Joint Session to deliver her message.

13 Also, MR. PRESIDENT:

14 The Committee on Legislative Procedure respectfully reports that arrangements have been
15 made for a Joint Session of the Senate and the House of Representatives to receive the message of
16 the Governor. And:

17 That the Senate and the House will convene in Joint Session in the Chamber of the House of
18 Representatives at 1:00 p.m., January 9, 2024.

19 That the President of the Senate preside over the Joint Session and that the Secretary of the
20 Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

21 That the Justices of the Supreme Court and the elective and appointed officials of the state
22 government be invited to attend the Joint Session.

23 That when the message of the Governor has been received, the Joint Session be dissolved.

24 That the message of the Governor be printed in the Senate Journal.

25 Also, MR. PRESIDENT:

26 The Committee on Legislative Procedure respectfully reports that arrangements have been
27 made for a Joint Session of the Senate and the House of Representatives to receive a message of
28 the Chief Justice of the Supreme Court. And:

29 That the Senate and the House convene in Joint Session in the Chamber of the House of
30 Representatives at 11:00 a.m., January 10, 2024.

31 That the President of the Senate preside over the Joint Session and that the Secretary of the
32 Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

33 That the Justices of the Supreme Court, the Governor and elective and appointed officials of
34 the state government be invited to attend the Joint Session.

35 That when the message of the Chief Justice has been received, the Joint Session be dissolved.

36 That the message of the Chief Justice be printed in the Senate Journal.

1 Also, MR. PRESIDENT:

2 The Committee on Legislative Procedure respectfully reports that arrangements have been
3 made for a Joint Session of the Senate and the House of Representatives to receive a message of
4 the State of the Tribes from a Tribal Chairman. And:

5 That the Senate and the House convene in Joint Session in the Chamber of the House of
6 Representatives at 1:00 p.m., January 10, 2024.

7 That the President of the Senate preside over the Joint Session and that the Secretary of the
8 Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

9 That the Justices of the Supreme Court, the Governor and elective and appointed officials of
10 the state government be invited to attend the Joint Session.

11 That when the message of the Tribal Chairman has been received, the Joint Session be
12 dissolved.

13 That the message of the Tribal Chairman be printed in the Senate Journal.

14 June 30, 2023

15 The Honorable Larry Rhoden
16 President of the Senate
17 State Capitol
18 Pierre, SD 57501

19 Dear President and Members of the Senate:

20 Pursuant to the provisions of House Bill 1076, 2017 Legislative Session, and subject to your
21 consent, I have the honor to inform you that I have appointed Lawrence Long, of Minnehaha County,
22 Sioux Falls, South Dakota, to the Government Accountability Board.

23 This appointment is effective June 30, 2023, and shall continue until June 30, 2027.

24 Sincerely,
25 Kristi Noem
26 Governor

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

28 **STATE OF SOUTH DAKOTA**
29 **OFFICE OF THE GOVERNOR**
30 **EXECUTIVE ORDER 2024-01**

31 **Whereas**, Article IV, Section 8, of the Constitution of the State of South Dakota provides in
32 relevant part that, "Except as to elected constitutional officers, the Governor may make such
33 changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in
34 allocation of their functions, powers and duties, as [the Governor] considers necessary for efficient
35 administration. If such changes affect existing law, they shall be set forth in executive orders, which
36 shall be submitted to the Legislature within five legislative days after it convenes, and shall become
37 effective, and shall have the force of law, within ninety days after submission, unless disapproved
38 by a resolution concurred in by a majority of all the members of either house"; and,

39 **Whereas**, This Executive Order has been submitted to the 99th Legislative Assembly on the
40 1st legislative day, the 9th day of January, 2024:

1 **IT IS, THEREFORE, BY EXECUTIVE ORDER**, directed that the executive branch of state
2 government be reorganized to comply with the following sections of this Order.

3 **GENERAL PROVISIONS**

4 **Section 1.** This Executive Order shall be known and may be cited as the “Executive
5 Reorganization Order 2024-01”.

6 **Section 2.** Any agency not enumerated in this Order but established by law within
7 another agency which is transferred to a principal department under this Order, shall also be
8 transferred in its current form to the same principal department and its functions shall be allocated
9 between itself and the principal department as they are now allocated between itself and the agency
10 within which it is established.

11 **Section 3.** “Agency” as used in this Order shall mean any board, authority,
12 commission, department, bureau, division, or any other unit or organization of state government.

13 **Section 4.** “Function” as used in this Order shall mean any authority, power,
14 responsibility, duty, or activity of an agency, whether or not provided for by law.

15 **Section 5.** Unless otherwise provided by this Order, division directors shall be
16 appointed by the head of the agency of which the division is a part and shall be removable at the
17 pleasure of the agency head, provided that the appointment and removal of division directors shall
18 be subject to approval by the Governor.

19 **Section 6.** It is the intent of this Order not to repeal or amend any laws relating to
20 functions performed by an agency, unless the intent is specifically expressed in this Order or unless
21 there is an irreconcilable conflict between this Order and those laws.

22 **Section 7.** If a part of this Order is invalid, all valid parts that are severable from the
23 invalid part remain in effect. If a part of this Order is invalid in one or more of its applications, the
24 part remains in effect in all valid applications.

25 **Section 8.** Except when inconsistent with the other provisions of this Order, all rules,
26 regulations, and standards of the agencies reorganized by this Order, in effect on the effective date
27 of this Order, shall continue with full force and effect until they are specifically altered, amended,
28 or revoked in the manner provided by law, unless the statutory authority for the rules, regulations,
29 and standards is superseded by this Order.

30 **Section 9.** It is hereby declared that the sections, clauses, sentences, and parts of this
31 Order are severable, are not matters of mutual essential inducement, and any of them may be
32 excised by any court of competent jurisdiction if any section, clause, sentence, or part of this Order
33 would otherwise be unconstitutional or ineffective.

34 **Section 10.** The rights, privileges, and duties of, including but not limited to, the holders
35 of bonds and other obligations issued, and of the parties to contracts, leases, indentures, loan
36 agreements, and other transactions, entered into before the effective date of this Order by the state
37 or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein,
38 remain in effect, and none of those rights, privileges, duties, covenants, or agreements are impaired
39 or diminished by abolition of an agency in this Order. The agency to which functions of another
40 agency are transferred is substituted for that agency and succeeds to its rights and leases,
41 indentures, privileges, duties, covenants, agreements, and other transactions.

42 **Section 11.** No judicial or administrative suit, action, or other proceeding lawfully
43 commenced before the effective date of this Order by or against any agency or any officer of the
44 state, in their official capacity or in relation to the discharge of their official duties, shall abate or be
45 affected by reason of the taking effect of any reorganization under the provisions of this Order. The
46 court may allow the suit, action, or other proceeding to be maintained by or against the successor
47 of any agency or any officer affected by this Order.

1 **Section 12.** If any part of this Order is ruled to be in conflict with federal requirements
2 which are a prescribed condition to the receipt of federal aid by the state, an agency, or a political
3 subdivision, that part of this Order has no effect and the Governor may by executive order make
4 necessary changes to this Order to receive federal aid, and the changes will remain in effect until
5 the last legislative day of the next legislative session or until the Legislature completes legislation
6 addressed to the same question, whichever comes first.

7 **Section 13.** Pursuant to § 2-16-9, the Code Commission and code counsel of the
8 Legislative Research Council are requested to make the name and title changes necessary to
9 correlate and integrate the organizational changes made by this Executive Reorganization Order
10 into the South Dakota Codified Laws.

11 **Section 14.** Any provisions of law in conflict with this Order are superseded.

12 **Section 15.** Whenever a function is transferred by this Order, all personnel, records,
13 property, unexpended balances of appropriations, allocations, or other funds utilized in performing
14 the function are also transferred by this Order.

15 **Section 16.** The effective date of this Executive Reorganization Order 202X-XX shall be
16 ninety days after its submission to the Legislature.

17 **Bureau of Human Resources and Administration Created.**

18 **Section 17.** There is hereby created a Bureau of Human Resources and Administration.
19 The head of the Bureau of Human Resources and Administration will be the Commissioner of the
20 Bureau of Human Resources and Administration who shall be appointed by, and serve at the pleasure
21 of, the Governor pursuant to § 1-33-4.

22 **Section 18.** Except as otherwise provided in this Order, the functions and programs of
23 the former Bureau of Administration and the former Bureau of Human Resources, along with the
24 functions of the former Commissioner of Administration and the former Commissioner of Human
25 Resources are hereby transferred to the Bureau of Human Resources and Administration and the
26 Commissioner of Human Resources and Administration, respectively.

27 **Bureau of Human Resources Abolished. Functions of former Bureau of Human
28 Resources transferred to Bureau of Human Resources and Administration.**

29 **Section 19.** The Bureau of Human Resources is hereby abolished. The position of
30 Commissioner of Human Resources is hereby abolished.

31 **Section 20.** The Bureau of Human Resources Student Internship created under § 1-33-
32 10.1 and its functions are transferred to the Bureau of Human Resources and Administration.

33 **Bureau of Administration Abolished. Functions of former Bureau of Administration
34 transferred to Bureau of Human Resources and Administration.**

35 **Section 21.** The Bureau of Administration is hereby abolished. The position of
36 Commissioner of Administration is hereby abolished.

37 **Section 22.** The Administrative functions performed by Bureau of Administration for
38 boards and commissions created under § 1-33-8.1 and their functions are transferred to the Bureau
39 of Human Resources and Administration.

40 **Other Reorganization Provisions**

41 **Section 23.** That § 1-14-2 be REPEALED: ~~No person may be appointed as the~~
42 ~~commissioner of administration unless the person has had progressively responsible experience in~~
43 ~~administration.~~

44 **Section 24.** That § 1-14-3 be REPEALED: ~~The commissioner of administration, under the~~

~~1 general direction and control of the Governor, shall execute the powers and discharge the duties
2 vested by law in the Bureau of Administration. The commissioner shall qualify by taking and filing
3 with the secretary of state the constitutional oath of office.~~

4 **Section 25.** That § 1-14-12 be REPEALED: ~~The commissioner of administration shall
5 administer the Bureau of Administration. The bureau shall:~~

- ~~6 (1) Keep an exact and true inventory of all property, real and personal, belonging to the State
7 of South Dakota and promulgate rules pursuant to chapter 1-26 enumerating the types
8 and classes of public personal property to be included in the inventory required by § 5-
9 24-1;~~
- ~~10 (2) Administer the procurement of supplies, services, and public improvements as prescribed
11 in chapters 5-18A, 5-18B, and 5-18D;~~
- ~~12 (3) Supervise such central administrative services as transportation, mail, records
13 management, and document reproduction services, make provisions for the supplying of
14 office supplies and furniture;~~
- ~~15 (4) Maintain the buildings and grounds of the capitol complex and install central facilities to
16 be used by all state agencies under such rules the Bureau of Administration promulgates
17 pursuant to chapter 1-26;~~
- ~~18 (5) Contract for the provision of food services, candy, and beverages in the capitol complex;~~
- ~~19 (6) Supervise the administration of the Office of Hearings Examiners;~~
- ~~20 (7) Administer the federal surplus property allotted to the State of South Dakota;~~
- ~~21 (8) Provide for the lease of such real property as shall be necessary for the operation of state
22 government;~~
- ~~23 (9) Administer a program of risk management for state government;~~
- ~~24 (10) Contract for such services as are required by multiple state agencies, if such a contract
25 improves the efficiency of state government; and~~
- ~~26 (11) Any other function as may be required by statute, executive order, or administrative
27 action.~~

28 **Section 26.** That chapter 1-33 be amended with a NEW SECTION:

29 No person may be appointed as the commissioner of human resources and administration
30 unless the person has had experience in administration.

31 **Section 27.** That chapter 1-33 be amended with a NEW SECTION:

32 The commissioner of human resources and administration, under the general direction and
33 control of the Governor, shall execute the powers and discharge the duties vested by law in the
34 Bureau of Human Resources and Administration. The commissioner shall qualify by taking and filing
35 with the secretary of state the constitutional oath of office.

36 **Section 28.** That § 1-33-9 be AMENDED:

37 The Bureau of Human Resources and Administration shall:

- 38 (1) Provide workers' compensation coverage and a group health and flexible benefit plan for
39 all state employees unless such duties are delegated to another agency pursuant to
40 chapter 1-24;
- 41 (2) Administer recruitment and classification for all civil service employees unless such duties
42 are delegated to another agency pursuant to chapter 1-24;
- 43 (3) Provide human resource management and programs including programs governing human
44 resource planning, training and development, internships, performance evaluation,
45 employee assessment and testing, classification, compensation, recruitment, and other

- 1 matters relating to human resource management for all of the executive branch of state
 2 government under the control of the Governor and by agreement for other state
 3 government agencies;
- 4 (4) Perform all administrative functions for the Civil Service Commission;
- 5 (5) Employ such staff as are necessary to perform its duties; and
- 6 (6) Contract as is necessary to perform its duties-;
- 7 (7) Keep an exact and true inventory of all property, real and personal, belonging to the state
 8 and promulgate rules pursuant to chapter 1-26 enumerating the types and classes of
 9 public personal property to be included in the inventory required by § 5-24-1;
- 10 (8) Administer the procurement of supplies, services, and public improvements as prescribed
 11 in chapters 5-18A, 5-18B, and 5-18D;
- 12 (9) Supervise such central administrative services as transportation, mail, records
 13 management, and document reproduction services, and make provisions for the
 14 supplying of office supplies and furniture;
- 15 (10) Maintain the buildings and grounds of the capitol complex and install central facilities to
 16 be used by all state agencies under rules the bureau promulgates pursuant to chapter 1-
 17 26;
- 18 (11) Contract for the provision of food services, candy, and beverages in the capitol complex;
- 19 (12) Supervise the administration of the Office of Hearings Examiners;
- 20 (13) Administer the federal surplus property allotted to the state;
- 21 (14) Provide for the lease of real property necessary for the operation of state government;
- 22 (15) Administer a program of risk management for state government;
- 23 (16) Contract for services required by multiple state agencies, if the contract improves the
 24 efficiency of state government; and
- 25 (17) Take any other function as may be required by statute, executive order, or administrative
 26 action.

27 **Section 29.** That chapter 1-33 be amended with a NEW SECTION:

28 The Bureau of Human Resources and Administration shall perform all administrative functions
 29 except special budgetary functions (as defined in § 1-32-1) of the following agencies:

- 30 (1) The Records Destruction Board created by chapter 1-27; and
- 31 (2) The Capitol Complex Restoration and Beautification Commission continued by chapter 5-
 32 15.

33 **Section 30.** That § 1-33-3 be AMENDED:

34 The Department of Executive Management consists of the Bureau of Finance and Management,
 35 the Bureau of ~~Administration~~, ~~the Bureau of Human Resources and Administration~~, the Bureau of
 36 Information and Telecommunications, the Governor's Office of Economic Development, and any
 37 other agencies created by administrative action or law and placed under the Department of
 38 Executive Management.

39 **Section 31.** Pursuant to § 2-16-9, the Code Commission and code counsel of the
 40 Legislative Research Council are requested to transfer the following sections to chapter 1-33, update
 41 the cross-references, and amend the following sections by striking "Bureau of Administration", and
 42 inserting "Bureau of Human Resources and Administration" and by striking "commissioner of
 43 administration", and inserting "commissioner of human resources and administration":

44 Title 1:
 45 1-33-9.1; 1-14-3.1; 1-14-4; 1-14-12.14; 1-14-12.15; 1-14-12.16; 1-14-12.17; 1-14-14; 1-14-
 46 14.1; 1-14-18; 1-14-19.

47 **Section 32.** Pursuant to § 2-16-9, the Code Commission and code counsel of the
 48 Legislative Research Council are requested to transfer § 1-33-64 to chapter 1-33.

1 **Section 33.** That § 1-33-10 be REPEALED: ~~The Bureau of Human Resources is~~
2 ~~administered by a commissioner appointed by the Governor with the advice and consent of the~~
3 ~~Senate. The commissioner serves at the pleasure of the Governor.~~

4 **Section 34.** Pursuant to § 2-16-9, the Code Commission and Code Counsel of the
5 Legislative Research Council are requested to amend the following sections by striking "Bureau of
6 Administration" and inserting "Bureau of Human Resources and Administration" and by striking
7 "commissioner of the bureau of administration" or by striking "commissioner of administration" and
8 inserting "commissioner of human resources and administration":

9 Title 1:
10 1-6-6; 1-6-17; 1-6-18; 1-6-19; 1-6-21; 1-15-10; 1-26A-8; 1-26D-1; 1-27-11.1; 1-27-12; 1-27-
11 12.1; 1-27-16; 1-27-17; 1-27-35; 1-27-45; 1-33-3; 1-33-42; 1-33B-6; 1-36A-1.11; 1-36A-1.19;
12 1-55-2; 1-55-4; 1-55-14; 1-55-15

13 Title 2:
14 2-7-1; 2-13-7; 2-13-12; 2-16-19

15 Title 3:
16 3-1-5; 3-5-5.1; 3-22-2; 3-22-5; 3-22-12

17 Title 4:
18 4-7-5; 4-8A-7

19 Title 5:
20 5-12-11.1; 5-12-12; 5-12-13; 5-12-37; 5-14-2; 5-14-3; 5-14-4; 5-14-5; 5-14-6; 5-14-8.1; 5-14-
21 9; 5-14-11; 5-14-30; 5-14-31; 5-14-34; 5-14-35; 5-14-36; 5-14-37; 5-14-38; 5-14-39; 5-14-40;
22 5-15-1.1; 5-15-5; 5-15-6; 5-15-9; 5-15-24; 5-15-25; 5-15-26; 5-15-27; 5-15-28; 5-15-29; 5-15-
23 30; 5-15-34; 5-15-45; 5-18A-11; 5-18A-13; 5-18A-22; 5-18A-27; 5-18A-28; 5-18A-34; 5-18A-38;
24 5-18A-41; 5-18A-52; 5-18B-5; 5-18B-20; 5-18D-1; 5-18D-2; 5-18D-3; 5-18D-4; 5-18D-5; 5-18D-
25 6; 5-18D-7; 5-18D-8; 5-18D-9; 5-18D-10; 5-18D-11; 5-18D-12; 5-18D-13; 5-18D-14; 5-18D-15;
26 5-18D-16; 5-18D-17; 5-18D-23; 5-18D-24; 5-24-1; 5-24-1.1; 5-24-3; 5-24-7; 5-24-13; 5-24-14;
27 5-24A-1; 5-24A-2; 5-24A-14; 5-24A-16; 5-25-4

28 Title 6:
29 6-13-14

30 Title 13:
31 13-49-15

32 Title 15:
33 15-39-47

34 Title 17:
35 17-2-19

36 Title 23:
37 23-3-8

38 Title 31:
39 31-2-27

40 Title 34:
41 34-31-6

42 Title 38:
43 38-20-2

44 Title 41:
45 41-2-20

1 Title 46A:
2 46A-1-80.1

3 **Section 35.** Pursuant to § 2-16-9, the Code Commission and code counsel of the
4 Legislative Research Council are requested to amend the following sections by striking "Bureau of
5 Human Resources" and inserting "Bureau of Human Resources and Administration" and by striking
6 "commissioner of the bureau of human resources" and inserting "commissioner of the bureau of
7 human resources and administration":

8 Title 1:
9 1-18C-3; 1-18C-6; 1-33-10.1

10 Title 2:
11 2-14-2

12 Title 3:
13 3-6C-1; 3-8-13; 3-12C-101

14 Title 5:
15 5-18A-17.2; 5-18A-17.3; 5-18A-49; 5-24A-18

16 Title 15:
17 15-15A-7

18 Title 26:
19 26-8A-12.2

20 Title 36:
21 36-25-12

22 Title 38:
23 38-1-12; 38-1-13; 38-10-14

24 Title 49:
25 49-1-7

26 Title 58:
27 58-2-13; 58-2-17; 58-17-145.1

28 Dated in Pierre, South Dakota this 9th day of January, 2024.

29 Kristi Noem
30 Governor of South Dakota

31 ATTEST:
32 Monae L. Johnson
33 Secretary of State

34 **MOTIONS AND RESOLUTIONS**

35 Sen. Crabtree moved that the Senate do now proceed with the organization of the Senate.

36 Which motion prevailed.

37 Senator Lee Schoenbeck was elected President Pro Tempore for the 2023-24 legislative term
38 on January 10, 2023.

1 Sen. Crabtree moved that Peggy Laurenz be elected Secretary of the Senate for the Ninety-
2 ninth Legislative Session.

3 The question being on Sen. Crabtree's motion that Peggy Laurenz be elected Secretary of the
4 Senate for the Ninety-ninth Legislative Session.

5 And the roll being called:

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

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

11 Excused: Kolbeck (Jack)

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

14 The oath of office was administered by the Honorable Steven R. Jensen, Chief Justice of the
15 Supreme Court of the state of South Dakota, to Secretary of the Senate Peggy Laurenz.

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

17 Unless there is an objection, the reading of the appointments of the employees of the Senate
18 for the Ninety-ninth Legislative Session will be waived.

19 Hearing no objection, the reading was waived.

20 The President announced the appointment of the following named persons as employees of the
21 Senate for the Ninety-ninth Legislative Session:

22 Assistant to the Secretary – Janelle Toman

23 Assistant to the Secretary – Mike Oakland

24 Chief Chaplain – Craig Wexler

25 Aide to the Minority Party – Caleb Stork

26 Appropriations Secretary – Gerry Barnes-Baucom

27 Committee Secretaries – Susan Anderson, Kaitlyn Baucom, Jean Denton, Susan Gullickson,
28 Mary Kirk, Doug Mortenson

29 Sergeant at Arms – Dave Bonde

30 Assistant Sergeant at Arms – Gary Hoscheid

31 Pages (1st term) – Elly Broers, Ayden Calvert, Addison Huber, Gabrielle Irving,
32 Neva Mikkelsen, Emma Peterson, Ariel Schatz, Ty Sullivan, Mily Vasquez

33 Pages (2nd term) – Chloe Blom, Ashley Bondesen, Alexa Comes, Chloe Culver, Kaia Day, Lowell
34 Gillespie, Chloe Heermann, Jack Jerde, Miranda Maas, Elijah Morisette, Jadeyn Reiner

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- 1 Pages (3rd term) – Quinn Alt, Jamie Bacon, Trey Dunse, Rebecca Feldhaus, Lily Fods, Nicholas
2 Gray, Madelyn Hinkelman, Bridgett Lemmel, Eliot Nielsen, Nicole Steffensen, Malachi Swift
- 3 Pages (4th term) – Patrick Barnett, Jillian Bauer, Chasety Christensen, Cameron Cutshaw,
4 Dakota Jensen, Lauren Murphy, Hayden Otten, Addison Pearl, Baylie Somsen, Landon Stefani,
5 Connor Wiik
- 6 Pages (5th term) – Lance Dannenbring, Liberty Harrington, Mya Heintzman,
7 Graham Lightfield, Madisyn Raymond, Halle Swenson
- 8 Legislative Interns – Joshua Brown, Joshua Chase, Jordan Christensen, Sarah Cox,
9 Marcus Hluchy, Ubah Mahamed, Rachel Overstreet, Jorja Whempner, Paige Willett
- 10 The oath of office was administered by the Honorable Steven R. Jensen, Chief Justice of the
11 Supreme Court of the State of South Dakota, to the following named employees:
- 12 Assistant to the Secretary – Janelle Toman
- 13 Assistant to the Secretary – Mike Oakland
- 14 Chief Chaplain – Craig Wexler
- 15 Aide to the Minority Party – Caleb Stork
- 16 Appropriations Secretary – Gerry Barnes-Baucom
- 17 Committee Secretaries – Susan Anderson, Jean Denton, Susan Gullickson, Doug Mortenson
- 18 Sergeant at Arms – Dave Bonde
- 19 Assistant Sergeant at Arms – Gary Hoscheid
- 20 Pages – Elly Broers, Ayden Calvert, Addison Huber, Gabriyelle Irving, Neva Mikkelsen,
21 Emma Peterson, Ariel Schatz, Ty Sullivan, Mily Vasquez
- 22 Legislative Interns – Joshua Brown, Joshua Chase, Jordan Christensen, Sarah Cox,
23 Marcus Hluchy, Ubah Mahamed, Rachel Overstreet, Jorja Whempner, Paige Willett
- 24 Which was subscribed to and placed on file in the office of the Secretary of State.
- 25 Sen. Crabtree moved that the permanent joint rules of the Ninety-eighth Legislative Session
26 with the recommended changes to those joint rules for the Ninety-ninth Legislative Session as
27 adopted in March, 2023, be adopted as the temporary joint rules for the Ninety-ninth Legislative
28 Session.
- 29 The question being on Sen. Crabtree's motion that the permanent joint rules of the Ninety-
30 eighth Legislative Session with the recommended changes to those joint rules for the Ninety-ninth
31 Legislative Session as adopted in March, 2023, be adopted as the temporary joint rules for the
32 Ninety-ninth Legislative Session.
- 33 And the roll being called:
- 34 Yeas 29, Nays 4, Excused 1, Absent 0

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

4 Nays: Beal, Frye-Mueller, Pischke, and Wiik

5 Excused: Kolbeck (Jack)

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

8 Sen. Crabtree moved that the permanent rules of the Senate for the Ninety-eighth Legislative
9 Session be adopted as the temporary Senate rules for the Ninety-ninth Legislative Session, with the
10 following amendment:

11 Section 1. That S8-1 be AMENDED:

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

23 Senator Pischke requested a division of the question.

24 Which motion was not supported.

25 The question being on Sen. Crabtree's motion that the permanent rules of the Senate for the
26 Ninety-eighth Legislative Session be adopted as the temporary Senate rules for the Ninety-ninth
27 Legislative Session, as amended.

28 And the roll being called:

29 Yeas 26, Nays 7, Excused 1, Absent 0

30 Yeas: Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Diedrich, Duhamel, Hunhoff,
31 Johnson, Klumb, Kolbeck (Steve), Larson, Maher, Nesiba, Novstrup, Otten (Herman), Reed, Rohl,
32 Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wink, and Zikmund

33 Nays: Beal, Foster, Frye-Mueller, Hoffman, Mehlhaff, Pischke, and Wiik

34 Excused: Kolbeck (Jack)

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

37 Sen. Crabtree moved that a committee of six on the part of the Senate be appointed to meet
38 with a committee of five on the part of the House for the purpose of arranging a memorial recognition
39 of deceased former members of the Senate and House.

1 Which motion prevailed and the President announced as such committee Sens. Schoenbeck
2 (Chair), Bolin, Crabtree, Hunhoff, Johnson, and Foster.

3 Sen. Crabtree moved that when we adjourn today, we adjourn to convene at 10:30 a.m. on
4 Wednesday, January 10, the 2nd legislative day.

5 Which motion prevailed.

6 Unless there is an objection, the reading of the President Pro Tempore's appointments of
7 Standing Committees will be waived and placed in the record.

8 Hearing no objections, the reading was waived.

9 The President announced the appointment of the following standing committees:

10 **** Denotes Chair** *** Denotes Vice-Chair**

11 **Agriculture and Natural Resources (7 Members)**

12 ****Otten (Herman), *Deibert,** Klumb, Larson, Mehlhaff, Novstrup, Tobin

13 **Commerce and Energy (9 Members)**

14 ****Wheeler, *Beal,** Crabtree, Hoffman, Johnson, Kolbeck (Steve), Nesiba, Schoenbeck,
15 Stalzer

16 **Committee on Appropriations (9 Members)**

17 ****Hunhoff, *Breitling,** Bolin, Foster, Kolbeck (Jack), Maher, Wiik, Wink, Zikmund

18 **Education (7 Members)**

19 ****Schoenfish, *Kolbeck (Steve),** Bordeaux, Davis, Larson, Pischke, Reed

20 **Government Operations and Audit (5 Members)**

21 ****Wink, *Wheeler,** Hunhoff, Nesiba, Reed

22 **Health and Human Services (7 Members)**

23 ****Tobin, *Davis,** Bordeaux, Diedrich, Novstrup, Reed, Rohl

24 **Judiciary (7 Members)**

25 ****Duhamel, *Stalzer,** Diedrich, Hoffman, Mehlhaff, Rohl, Wheeler

26 **Legislative Procedure (7 Members)**

27 ****Schoenbeck, *Crabtree,** Duhamel, Kolbeck (Jack), Maher, Nesiba, Wheeler

28 **Local Government (7 Members)**

29 ****Reed, *Mehlhaff,** Deibert, Kolbeck (Steve), Larson, Johnson, Pischke

30 **Military and Veterans Affairs (5 Members)**

31 ****Johnson, *Zikmund,** Hoffman, Kolbeck (Jack), Stalzer

1

Retirement Laws (5 Members)

2

****Bolin, *Mehlhaff**, Deibert, Nesiba, Zikmund

3

State Affairs (9 Members)

4

****Crabtree, *Diedrich**, Davis, Duhamel, Nesiba, Rohl, Schoenbeck, Tobin, Wheeler

5

Taxation (7 Members)

6

****Stalzer, *Hoffman**, Bordeaux, Klumb, Novstrup, Otten (Herman), Schoenfish

7

Transportation (7 Members)

8

****Klumb, *Larson**, Beal, Deibert, Duhamel, Johnson, Schoenfish

9

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

10

11

12

SB 29: FOR AN ACT ENTITLED, An Act to allow eligible members of the South Dakota National Guard attending an in-state private, nonprofit post-secondary institution to receive the state tuition benefit.

13

14

Introduced by: The Chair of the Joint Committee on Appropriations at the request of the Department of the Military

15

16

SB 31: FOR AN ACT ENTITLED, An Act to create the indigent legal services fund, to provide ongoing revenue therefor, and to make an appropriation therefor.

17

Introduced by: **Senator** Bolin

18

19

20

SB 49: FOR AN ACT ENTITLED, An Act to make an appropriation for the site preparation of a prison facility for offenders committed to the Department of Corrections, to transfer moneys to the incarceration construction fund, and to declare an emergency.

21

22

Introduced by: The Chair of the Senate Committee on Appropriations at the request of the Department of Corrections

23

24

25

SB 50: FOR AN ACT ENTITLED, An Act to make an appropriation for the site preparation and construction of a prison facility for offenders committed to the Department of Corrections in Rapid City, to transfer moneys to the incarceration construction fund, and to declare an emergency.

26

27

Introduced by: The Chair of the Senate Committee on Appropriations at the request of the Department of Corrections

28

29

SB 52: FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal year 2024.

30

31

Introduced by: The Chair of the Joint Committee on Appropriations at the request of the Bureau of Finance and Management

32

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

33

34

SB 14: FOR AN ACT ENTITLED, An Act to expand authorization for the conditional taking of coyotes from snowmobiles.

35

Introduced by: **Senator** Mehlhaff

1 **SB 22:** FOR AN ACT ENTITLED, An Act to amend language regarding the licensing period for a
2 grain buyer.

3 Introduced by: The Chair of the Committee on Agriculture and Natural Resources at the request
4 of the Public Utilities Commission

5 **SB 54:** FOR AN ACT ENTITLED, An Act to update hunting and fishing residency requirements.

6 Introduced by: The Chair of the Committee on Agriculture and Natural Resources at the request
7 of the Department of Game, Fish and Parks

8 **SB 55:** FOR AN ACT ENTITLED, An Act to remove multiple vehicle ownership as a condition for
9 purchasing an additional park entry license at a reduced price.

10 Introduced by: The Chair of the Committee on Agriculture and Natural Resources at the request
11 of the Department of Game, Fish and Parks

12 **SB 56:** FOR AN ACT ENTITLED, An Act to permit the operation of an electric bicycle on the
13 Mickelson Trail.

14 Introduced by: The Chair of the Committee on Agriculture and Natural Resources at the request
15 of the Department of Game, Fish and Parks

16 **SB 70:** FOR AN ACT ENTITLED, An Act to make an appropriation for the replacement of the
17 Richmond Lake dam and spillway, for the general maintenance and repair of other state-owned
18 dams, and to declare an emergency.

19 Introduced by: The Chair of the Senate Committee on Appropriations at the request of the
20 School and Public Lands

21 **SJR 502:** A JOINT RESOLUTION, Providing legislative approval for a future use water permit
22 application by the Lewis and Clark Regional Water System.

23 Introduced by: **Senator** Otten (Herman)

24 Were read the first time and referred to the Committee on Agriculture and Natural Resources.

25 **SB 7:** FOR AN ACT ENTITLED, An Act to revise the water resources projects list.

26 Introduced by: **Senator** Tobin

27 **SB 8:** FOR AN ACT ENTITLED, An Act to allow licensed hunting preserve facilities to sell
28 alcoholic beverages on designated days outside of the shooting preserve season.

29 Introduced by: **Senator** Tobin

30 **SB 12:** FOR AN ACT ENTITLED, An Act to authorize certain employer actions regarding the use
31 of cannabis by an employee or a prospective employee.

32 Introduced by: **Senator** Mehlhaff

33 **SB 23:** FOR AN ACT ENTITLED, An Act to exempt an electric vehicle charging station from
34 being subject to a civil fine for overcharging.

35 Introduced by: The Chair of the Committee on Commerce and Energy at the request of the
36 Public Utilities Commission

1 **SB 30:** FOR AN ACT ENTITLED, An Act to prohibit discrimination based on military status.

2 Introduced by: **Senator** Duhamel

3 **SB 33:** FOR AN ACT ENTITLED, An Act to repeal the Petroleum Release Compensation Board.

4 Introduced by: **Senator** Schoenbeck

5 **SB 35:** FOR AN ACT ENTITLED, An Act to provide that certain personal information of a lottery
6 prize winner may only be made public with the winner's consent.

7 Introduced by: **Senator** Hoffman

8 **SB 38:** FOR AN ACT ENTITLED, An Act to amend the amount a merchant or place of business
9 may assess against returned checks.

10 Introduced by: **Senator** Rohl

11 **SB 39:** FOR AN ACT ENTITLED, An Act to prohibit a homeowners' association from placing
12 restrictions on firearms or firearm ammunition.

13 Introduced by: **Senator** Rohl

14 **SB 41:** FOR AN ACT ENTITLED, An Act to modify an administrative procedure for revoking a
15 nonresponsive insurance producer's license.

16 Introduced by: The Chair of the Committee on Commerce and Energy at the request of the
17 Department of Labor and Regulation

18 **SB 57:** FOR AN ACT ENTITLED, An Act to create uniform procedures for consideration of
19 criminal histories and convictions in professional or occupational licensure.

20 Introduced by: The Chair of the Committee on Commerce and Energy at the request of the
21 Department of Labor and Regulation

22 **SB 58:** FOR AN ACT ENTITLED, An Act to revise provisions regarding money transmission.

23 Introduced by: The Chair of the Committee on Commerce and Energy at the request of the
24 Department of Labor and Regulation
25 Were read the first time and referred to the Committee on
Commerce and Energy.

26 **SB 16:** FOR AN ACT ENTITLED, An Act to make appropriations for water and environmental
27 purposes and to declare an emergency.

28 Introduced by: The Chair of the Senate Committee on Appropriations at the request of the
29 Department of Agriculture and Natural Resources

30 **SB 28:** FOR AN ACT ENTITLED, An Act to modify tax refunds for elderly persons and persons
31 with a disability, to make an appropriation therefor, and to declare an emergency.

32 Introduced by: The Chair of the Senate Committee on Appropriations at the request of the
33 Department of Revenue

34 **SB 51:** FOR AN ACT ENTITLED, An Act to revise property tax levies for school districts and to
35 revise the state aid to general and special education formulas.

36 Introduced by: The Chair of the Senate Committee on Appropriations at the request of the
37 Bureau of Finance and Management

1 **SB 67:** FOR AN ACT ENTITLED, An Act to provide for the sale of certain real estate located in
2 Hughes County and to provide for the deposit of the proceeds into a continuously appropriated fund.

3 Introduced by: The Chair of the Senate Committee on Appropriations at the request of the
4 Bureau of Administration

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

6 **SB 1:** FOR AN ACT ENTITLED, An Act to expand eligibility for the reduced tuition benefit for
7 certain school district and Head Start employees at Board of Regents institutions to school
8 counselors.

9 Introduced by: **Senator** Rohl

10 **SB 2:** FOR AN ACT ENTITLED, An Act to remove provisions for establishing a uniform method
11 for calculating high school credit received from completing a postsecondary course.

12 Introduced by: **Senator** Rohl

13 **SB 34:** FOR AN ACT ENTITLED, An Act to establish and modify provisions related to school
14 safety.

15 Introduced by: **Senator** Hoffman

16 **SB 45:** FOR AN ACT ENTITLED, An Act to make an appropriation for the establishment of a
17 Center for Quantum Information Science and Technology and to declare an emergency.

18 Introduced by: The Chair of the Senate Committee on Appropriations at the request of the
19 Board of Regents

20 Were read the first time and referred to the Committee on Education.

21 **SB 10:** FOR AN ACT ENTITLED, An Act to require that a notification of medical cannabis
22 certification be provided to a patient's primary or referring practitioner.

23 Introduced by: **Senator** Tobin

24 **SB 11:** FOR AN ACT ENTITLED, An Act to prohibit a practitioner from referring a patient to a
25 medical cannabis clinic with which the practitioner or an immediate family member has a financial
26 relationship and to provide a penalty therefor.

27 Introduced by: **Senator** Tobin

28 **SB 40:** FOR AN ACT ENTITLED, An Act to establish a criminal background check requirement
29 for licensure as an occupational therapist or occupational therapy assistant.

30 Introduced by: The Chair of the Committee on Health and Human Services at the request of
31 the Board of Medical and Osteopathic Examiners

32 **SB 42:** FOR AN ACT ENTITLED, An Act to modify provisions related to medical cannabis.

33 Introduced by: The Chair of the Committee on Health and Human Services at the request of
34 the Department of Health

1 **SB 43:** FOR AN ACT ENTITLED, An Act to establish procedures for the imposition of fines and
2 probation against medical cannabis establishments, and to increase the allowable fee for a medical
3 cannabis establishment registration certificate.

4 Introduced by: The Chair of the Committee on Health and Human Services at the request of
5 the Department of Health

6 **SB 44:** FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse health care
7 professionals who have complied with the requirements for health care recruitment assistance
8 programs, and to declare an emergency.

9 Introduced by: The Chair of the Senate Committee on Appropriations at the request of the
10 Department of Health

11 **SB 46:** FOR AN ACT ENTITLED, An Act to authorize the disclosure of referral status by
12 Department of Human Services personnel.

13 Introduced by: The Chair of the Committee on Health and Human Services at the request of
14 the Department of Human Services

15 **SB 63:** FOR AN ACT ENTITLED, An Act to revise provisions related to the licensure and
16 regulation of ambulance services.

17 Introduced by: The Chair of the Committee on Health and Human Services at the request of
18 the Department of Health

19 **SB 64:** FOR AN ACT ENTITLED, An Act to revise provisions related to the regulation of
20 emergency medical services and associated personnel.

21 Introduced by: The Chair of the Committee on Health and Human Services at the request of
22 the Department of Health

23 **SB 71:** FOR AN ACT ENTITLED, An Act to remove a prohibition on the ability of law enforcement
24 and various governmental entities to inspect, search, seize, prosecute, or impose disciplinary action
25 on cannabis dispensaries, cultivation facilities, manufacturing facilities, and testing facilities.

26 Introduced by: **Senator** Mehlhaff

27 Were read the first time and referred to the Committee on Health and Human Services.

28 **SB 6:** FOR AN ACT ENTITLED, An Act to revise provisions related to death by distribution of a
29 Schedule I or II substance.

30 Introduced by: **Senator** Wheeler

31 **SB 9:** FOR AN ACT ENTITLED, An Act to further limit applications for clemency for violent
32 crime offenders sentenced to life imprisonment.

33 Introduced by: **Senator** Tobin

34 **SB 15:** FOR AN ACT ENTITLED, An Act to require a convicted defendant to reimburse the cost
35 of digital forensic examination fees.

36 Introduced by: **Senator** Duhamel

1 **SB 24:** FOR AN ACT ENTITLED, An Act to increase the maximum user fee for a participant
2 submitting to wear a drug patch under the 24/7 sobriety program.

3 Introduced by: The Chair of the Committee on Judiciary at the request of the Office of the
4 Attorney General

5 **SB 25:** FOR AN ACT ENTITLED, An Act to revise provisions regarding possessing,
6 manufacturing, or distributing child pornography.

7 Introduced by: The Chair of the Committee on Judiciary at the request of the Office of the
8 Attorney General

9 **SB 27:** FOR AN ACT ENTITLED, An Act to modify the criteria for removal from the sex offender
10 registry.

11 Introduced by: The Chair of the Committee on Judiciary at the request of the Office of the
12 Attorney General

13 **SB 36:** FOR AN ACT ENTITLED, An Act to revise provisions related to driving under the
14 influence.

15 Introduced by: **Senator** Hoffman

16 **SB 47:** FOR AN ACT ENTITLED, An Act to revise the incentive program for juvenile diversion
17 opportunities.

18 Introduced by: The Chair of the Committee on Judiciary at the request of the Department of
19 Corrections

20 **SB 61:** FOR AN ACT ENTITLED, An Act to repeal the Visitation Grant Advisory Group.

21 Introduced by: The Chair of the Committee on Judiciary at the request of the Department of
22 Public Safety

23 Were read the first time and referred to the Committee on Judiciary.

24 **SB 4:** FOR AN ACT ENTITLED, An Act to revise provisions regarding township contracts for
25 snow removal.

26 Introduced by: **Senator** Rohl

27 **SB 5:** FOR AN ACT ENTITLED, An Act to reduce the amount of time required before the removal
28 of a city manager is effective.

29 Introduced by: **Senator** Rohl

30 **SB 37:** FOR AN ACT ENTITLED, An Act to revise provisions regarding repair and maintenance
31 of mail routes.

32 Introduced by: **Senator** Rohl

33 Were read the first time and referred to the Committee on Local Government.

1 **SB 68:** FOR AN ACT ENTITLED, An Act to amend certain provisions pertaining to the South
2 Dakota Retirement System to comply with federal law.

3 Introduced by: The Chair of the Committee on Retirement Laws at the request of the South
4 Dakota Retirement System

5 **SB 69:** FOR AN ACT ENTITLED, An Act to amend certain provisions pertaining to the South
6 Dakota Retirement System.

7 Introduced by: The Chair of the Committee on Retirement Laws at the request of the South
8 Dakota Retirement System

9 Were read the first time and referred to the Committee on Retirement Laws.

10 **SB 13:** FOR AN ACT ENTITLED, An Act to revise the process for nominating candidates for
11 lieutenant governor.

12 Introduced by: **Senator** Mehlhaff

13 **SB 17:** FOR AN ACT ENTITLED, An Act to modify the residency requirements for voter
14 registration and declare an emergency.

15 Introduced by: The Chair of the Committee on State Affairs at the request of the Secretary of
16 State

17 **SB 18:** FOR AN ACT ENTITLED, An Act to allow the secretary of state to share information
18 from the statewide voter registration file.

19 Introduced by: The Chair of the Committee on State Affairs at the request of the Secretary of
20 State

21 **SB 19:** FOR AN ACT ENTITLED, An Act to rescind rulemaking authority pertaining to the
22 process for publishing required voter registration numbers.

23 Introduced by: The Chair of the Committee on State Affairs at the request of the Secretary of
24 State

25 **SB 20:** FOR AN ACT ENTITLED, An Act to establish the crime of threatening or intimidating an
26 election official or election worker and declare an emergency.

27 Introduced by: The Chair of the Committee on State Affairs at the request of the Secretary of
28 State

29 **SB 21:** FOR AN ACT ENTITLED, An Act to rescind rule-making authority for the annual report
30 of the number of voters removed from a county's voter registration list.

31 Introduced by: The Chair of the Committee on State Affairs at the request of the Secretary of
32 State

33 **SB 26:** FOR AN ACT ENTITLED, An Act to clarify the membership of the Open Meeting
34 Commission.

35 Introduced by: The Chair of the Committee on Judiciary at the request of the Office of the
36 Attorney General

1 **SB 48:** FOR AN ACT ENTITLED, An Act to provide for the disclosure of a cast vote record and
2 ballot images as a public record and declare an emergency.

3 Introduced by: The Chair of the Committee on State Affairs at the request of the Secretary of
4 State

5 **SB 53:** FOR AN ACT ENTITLED, An Act to make an appropriation for eligible water and
6 wastewater projects and to declare an emergency.

7 Introduced by: The Chair of the Senate Committee on Appropriations at the request of the
8 Department of Agriculture and Natural Resources

9 **SB 66:** FOR AN ACT ENTITLED, An Act to make an appropriation for eligible water, wastewater,
10 and storm water projects throughout state government, and to declare an emergency.

11 Introduced by: The Chair of the Senate Committee on Appropriations at the request of the
12 Bureau of Administration

13 **SJR 501:** A JOINT RESOLUTION, Proposing and submitting to the voters at the next general
14 election, an amendment to the Constitution of the State of South Dakota, authorizing the state to
15 impose work requirements on certain individuals who are eligible for expanded Medicaid.

16 Introduced by: **Senator** Crabtree

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

18 **SB 3:** FOR AN ACT ENTITLED, An Act to extend the length of time allowed for a tax agreement
19 with an Indian tribe.

20 Introduced by: **Senator** Rohl

21 **SB 32:** FOR AN ACT ENTITLED, An Act to provide for the distribution of tax revenue from
22 certain gross receipts occurring on fairgrounds.

23 Introduced by: **Senator** Novstrup

24 **SB 65:** FOR AN ACT ENTITLED, An Act to modify time limits for collection efforts for debts
25 owed to the state.

26 Introduced by: The Chair of the Committee on Taxation at the request of the Bureau of
27 Administration

28 Were read the first time and referred to the Committee on Taxation.

29 **SB 59:** FOR AN ACT ENTITLED, An Act to provide for the downgrade of commercial driver
30 licenses and commercial learners permits upon notice of certain drug and alcohol violations.

31 Introduced by: The Chair of the Committee on Transportation at the request of the Department
32 of Public Safety

33 **SB 60:** FOR AN ACT ENTITLED, An Act to update references to certain regulations regarding
34 medical qualifications for certain commercial drivers.

35 Introduced by: The Chair of the Committee on Transportation at the request of the Department
36 of Public Safety

1 **SB 62:** FOR AN ACT ENTITLED, An Act to amend the requirements to notify a law enforcement
2 officer after an accident has occurred.

3 Introduced by: The Chair of the Committee on Transportation at the request of the Department
4 of Public Safety

5 Were read the first time and referred to the Committee on Transportation.

6 There being no objection, the Senate reverted to Order of Business No. 4 - Communications
7 and Petitions.

8 **COMMUNICATIONS AND PETITIONS**

9 The President announced that the Executive Reorganization Order will not be assigned to
10 committee.

11 Sen. Stalzer moved that the Senate do now adjourn, which motion prevailed and at 12:42 p.m.
12 the Senate adjourned.

13 Peggy Laurenz, Secretary

14 **JOINT SESSION**

15 The Senate convened with the House of Representatives in the House Chamber for the
16 purpose of receiving a message from the Governor, Kristi Noem. The President of the Senate, Larry
17 Rhoden, presided.

18 The following prayer was delivered by Rev. Craig Wexler, Pierre/Fort Pierre Ministerial
19 Association, Pierre, South Dakota:

20 *We begin with a reading from Romans chapter eight: "Who will bring any charge against those*
21 *whom God has chosen? It is God who justifies. ³⁴ Who then is the one who condemns? No one.*
22 *Christ Jesus who died—more than that, who was raised to life—is at the right hand of God and is*
23 *also interceding for us. ³⁵ Who shall separate us from the love of Christ? Shall trouble or hardship*
24 *or persecution or famine or nakedness or danger or sword? ³⁶ As it is written: "For your sake we*
25 *face death all day long; we are considered as sheep to be slaughtered."^a³⁷ No, in all these things*
26 *we are more than conquerors through him who loved us. ³⁸ For I am convinced that neither death*
27 *nor life, neither angels nor demons,^[b] neither the present nor the future, nor any powers, ³⁹ neither*
28 *height nor depth, nor anything else in all creation, will be able to separate us from the love of*
29 *God that is in Christ Jesus our Lord."*

30 Almighty God, You once placed in our history, a man, Thomas Jefferson who was tasked by
31 Your sovereign will. But he also penned the words that have led us to what we now call a separation
32 of Church from the State. What *he didn't intend*, was for us to go our separate ways—to never
33 interact in the dealings and accountability of the people that You place in our paths each day. No,
34 Lord, what was meant by Jefferson, was that the government would never enter into the confines
35 of our faith in order to bring persecution for such faith, or to corrupt the faith with our own personal
36 and legal agendas in order to highjack the power away from You, Almighty and Holy God—and take
37 it for ourselves, in order to force everyone to go along with it, in lock step.

38 But gracious God, as Paul writes to the beloved Christians of Rome prior to his arrival in the
39 land that would later take his life because of his unwavering proclamation of the Gospel, nothing—
40 absolutely nothing—shall separate us from You, O, Lord. We pray today, that we might actually
41 consider and believe, that Your sovereignty has allowed our constituents to have prayerfully elected
42 us into these positions of leadership. I pray today, that each person in this room—every single

1 person in these hallways—every listener on the radio and the television would hear Your voice—
2 would know that You are working through all things—would trust in the agents that You have placed
3 in certain positions in order that they might fulfill Your will—not their own—and know in the depths
4 of their hearts that nothing—absolutely nothing will separate us from the Love of Christ.

5 Bring us Your wisdom. Help us to hold each other accountable with kindness and compassion.
6 Lead us in more listening, and less talking. Give us courage to stand for our faith, rather than
7 cowering in fear, worrying what everyone else thinks at any given time. Let Your Truth be made
8 known in our actions and words. Help us to create just laws based on Your will, listening to the
9 needs of our citizens. May Your Truth be made known—might each vote taken this session be in
10 consultation with spiritual leadership—not based on our feelings and our experiences—rather, on
11 Your will made known through Your mercy granted upon us. In Your Holy name we pray, Amen.

12 The Secretary of the Senate, Peggy Laurenz, called the roll of the Senate and the following
13 members were present:

14 Beal; Bolin; Bordeaux; Breitling; Crabtree; Davis; Deibert; Diedrich; Duhamel; Foster; Frye-
15 Mueller; Hoffman; Hunhoff; Johnson; Klumb; Kolbeck (Steve); Larson; Maher; Mehlhaff; Nesiba;
16 Novstrup; Otten (Herman); Pischke; Reed; Rohl; Schoenbeck; Schoenfish; Stalzer; Tobin; Wheeler;
17 Wiik; Wink; Zikmund

18 The Chief Clerk of the House of Representatives, Patricia Miller, called the roll of the House and
19 the following members were present:

20 Arlint; Auch; Aylward; Bahmuller; Blare; Callies; Cammack; Chaffee; Chase; DeGroot; Derby;
21 Deutsch; Donnell; Drury; Duba; Duffy; Emery; Fitzgerald; Gross; Hansen; Healy; Heermann;
22 Jamison; Jensen (Kevin); Jensen (Phil); Karr; Kassin; Koth; Krohmer; Krull; Kull; Ladner; Lems;
23 Lesmeister; Massie; May; Mills; Moore; Mortenson; Mulally; Mulder; Nelson; Odenbach; Otten
24 (Ernie); Overweg; Perry; Peterson (Drew); Peterson (Sue); Pinnow; Randolph; Rehfeldt; Reimer;
25 Reisch; Sauder; Schaefbauer; Schneider; Sjaarda; Soye; St. John; Stevens; Teunissen; Tordsen;
26 Venhuizen; Wangness; Weisgram; Wittman; Speaker Bartels.

27 Sen. Crabtree moved that a committee of ten on the part of the Senate and a committee of
28 five on the part of the House be appointed to escort the Honorable Kristi Noem, Governor of the
29 State of South Dakota, to the rostrum.

30 Which motion prevailed and the President announced as such committee Sens. Schoenbeck,
31 Crabtree, Nesiba, Bolin, Klumb, Kolbeck, Maher, Novstrup, Stalzer, and Wiik on the part of the
32 Senate and Reps. Stevens, Mortenson, Rehfeldt, Lesmeister, and Healy on the part of the House.

33 The Lieutenant Governor, Larry Rhoden, introduced the Honorable Kristi Noem, who delivered
34 the State of the State Address.

35 The Sergeant at Arms announced the arrival of the Honorable Kristi Noem, who was escorted
36 to the rostrum.

1

STATE OF THE STATE ADDRESS**2 Introduction**

3 Lieutenant Governor Rhoden, Mr. Speaker, members of the House and Senate, Chief Justice Jensen,
4 Supreme Court justices, constitutional officers, and my fellow South Dakotans:

5 My job today is to give you a report on the state of our state. Our State Constitution requires me to
6 appear before you and deliver this speech, but it gives little guidance on how long the speech should
7 be or what snacks may be served. Therefore, I plan to take some liberties. I will give you a thorough
8 report, hopefully succinctly, and you will find snacks provided at your desk because, well, I like to
9 eat. You may find these snacks to be reflective of this body – a bit salty, sometimes sweet, and may
10 be a nut or two. Enjoy, and let's get started.

11 First, we have with us several members of the South Dakota National Guard. Would you and any
12 veterans in attendance today please stand and be recognized for your service to our state and
13 nation?

14 Speaking of great South Dakotans, how 'bout them Jackrabbits? Back-to-back champs! GO JACKS!

15 We are in a different time than we were just five short years ago. We used to talk about what we
16 believe as conservatives and the importance of limited government, low taxes, American values,
17 and personal responsibility. But then challenging times hit our state, our country, and our world.
18 And we had to decide just how conservative we really were going to be here in South Dakota. Were
19 we just going to talk about limited government and Freedom, or fight for it – defend it? Even when
20 it wasn't the popular thing to do, we stood strong on the Constitution and our state's motto: "Under
21 God the People Rule."

22 South Dakota is doing better than every other state in the nation because we have embraced
23 conservative principles. I've often called our state small, more like a pilot project for conservative
24 reforms to prove if they really do work. And we have proven that they do. Our people are thriving,
25 our economy is growing, and the state has never been in a more stable fiscal situation. We have cut
26 taxes, created jobs, and maximized opportunities. We have also learned that there is a trick to
27 keeping that momentum going. We have learned that we have to tell our story in order to succeed.
28 We can govern conservatively, but we also need to keep our foot on the gas. South Dakota's success
29 is unprecedented. And we have a limited window of time where the eyes of the entire nation are on
30 our state. We cannot miss the opportunity to capitalize on that.

31 South Dakota has proven that conservative policies help families thrive. We have shown the world
32 that Freedom Works Here. And we're just getting started.

33 During my Second Inaugural Address last year, I gave a "Top Ten List" of things that surprised me
34 about being Governor. Well, I think it's time for another such list. I can't possibly cover today for all
35 of you all of the wonderful things that we are doing in our state. But I can hit the highlights. So
36 today, I am proud to present my Top Ten List of things we are doing here in South Dakota to ensure
37 that Freedom Works Here.

38 #10 Freedom to Keep and Bear Arms

39 We protect our Second Amendment rights. Constitutional Carry was the very first bill that I signed
40 into law. Two years ago, you all worked with me to make our state the first in the nation to waive
41 all fees for concealed carry permits. We even pay for people's federal background checks. It doesn't
42 cost South Dakotans a penny to exercise their 2nd Amendment rights. And last year, I signed an
43 Executive Order which says that the State will not do business with any financial institution who
44 infringes on people's 2nd Amendment Rights.

45 We have been able to market our state as a 2nd Amendment haven. My Office of Economic
46 Development is actively working to recruit firearms businesses from states that infringe on the 2nd
47 Amendment to move here. Last year, California became the first state in America to levy a special
48 tax on guns and ammunition, and we immediately invited California gun manufacturers to move
49 here to South Dakota.

1 We've proven that Freedom works for these gun manufacturers. They're moving here, growing, and
2 thriving. Cole-TAC in Rapid City and Silencer Central in Sioux Falls have both had leadership who
3 moved to South Dakota for a better life. These folks built thriving companies that employ South
4 Dakotans and help our people exercise their 2nd Amendment rights. Other companies like H-S
5 Precision, Black Hills Ammunition, and TS Custom Precision Rifles are a big part of helping this
6 industry grow in South Dakota. Many of the leaders of these firearms businesses here with us today,
7 would you all please stand? Thank you for giving South Dakotans the opportunity to utilize their
8 Second Amendment rights!

9 And we aren't going to stop there. Just last month, our Department of Game, Fish & Parks began
10 moving dirt for a world-class shooting range West River. The South Dakota Shooting Sports Complex
11 will be the premier firearms range in the Midwest. But the Biden Administration is undermining this
12 project by changing the rules after they had already signed off. I am working with GFP to continue
13 to build this range which will host world class events here in South Dakota and impact our economy
14 long term.

15 **#9 Way that Freedom Works Here: Freedom to Enjoy the Outdoors**

16 My administration has made it a priority to enhance our outdoors opportunities. Every year, we're
17 ranked either #1 or #2 for the most hunting licenses per-capita. My Second Century Initiative is
18 expanding opportunities for animal habitat across the state. South Dakota has more than 5 million
19 acres of public access hunting opportunities, even though 80% of our land is privately owned. In
20 2023, we broke the record for most private land enrolled into public hunting access. The reason why
21 is very simple: respect. We respect each other's private property rights and seek permission to hunt
22 on our neighbors' land before we step foot on the property.

23 My Nest Predator Bounty Program is aimed at teaching respect for the outdoors and the wildlife to
24 our kids and grandkids. Every year, participants turn in 50,000 tails of predators that would
25 otherwise devastate our pheasant and wildlife population. This past year, 46% of the program's
26 participants were under the age of 18, and that number has been steadily increasing every year.
27 We're getting more South Dakota kids involved in trapping, fishing, and hunting.

28 In fact, my Department of Game, Fish & Parks works every day with families to teach them and
29 their kids how to hunt. For example, GFP worked with the Gingerich family, and their three kids.
30 Would you please stand for us today as I tell your story?

31 Morgan is 16, Samantha is 15, and William is 13. The family signed up for the Hunting 101 program.
32 They learned how to navigate Go Outdoors SD.com to get their licenses. They learned firearm safety.
33 When they practiced at the range, they celebrated with ice cream for hitting the 200-yard steel
34 target. That's a celebration I can get behind! GFP, with the help of a volunteer mentor, worked with
35 them one-by-one to go out and attempt to fill their tags. First, William accompanied by his dad
36 Reuben had successful harvests. Then GFP worked with Samantha (she didn't get her deer the first
37 time – she might have been a bit too chatty), then Morgan, then Samantha again got her opportunity
38 (she was successful this time), and finally mom Danielle. All five hunters got their deer. As a family,
39 they learned how to process the deer and prepare the wild game for the kitchen table. Now they
40 have the tools and the skills to get back in the field together, make memories, and continue to put
41 food on the table. And they're still taking classes at The Outdoor Campus! The Gingerichs are here
42 with us today – would you please join me in celebrating their harvest of five deer – and many more
43 to come?

44 Those kinds of stories are possible in South Dakota because we respect the Freedom to enjoy the
45 outdoors.

46 **#8 Way that Freedom Works Here: Freedom to Farm and Ranch**

47 Hunting is fundamental to South Dakota's way of life, but I can think of one thing that's even more
48 fundamental: farming. We're top-10 in the country for production of about 25 different agricultural
49 commodities. Our farmers and ranchers provide about 30% of our state's economic output. South
50 Dakota farmers are free to farm; South Dakota ranchers are free to ranch.

51 Last year, I brought forward legislation that would have stopped foreign adversaries from purchasing
52 ag land in South Dakota. China and other evil foreign governments are executing a plan to own our
53 land and control our food supply. Although last year's proposal to regulate these purchases did not

1 pass, we have continued to discuss solutions. Congress has not taken action, and we cannot afford
2 to wait another year. In just the past decade, China's ownership of American ag land has increased
3 by 5,300%. This is far too important to our national security to let another year go by and let our
4 enemies gain a larger foothold in our economy and food supply chain. South Dakota respects the
5 Freedom to farm and ranch. That Freedom should not extend to our enemies.

6 **#7 Way that Freedom Works Here: Freedom to Be Secure**

7 One of the biggest reasons that we cannot allow America's adversaries, like China, to own South
8 Dakota ag land is because Ellsworth Air Force Base is going to soon be the first home of the next
9 generation bomber that will keep America safe for decades to come. The B-21 Raider took its first
10 test flight just two months ago. And our enemies are going to do everything in their power to get
11 intelligence on that bomber. It is our duty to do what we must to ensure that they fail – and that
12 we succeed at keeping our people safe.

13 Sometimes, keeping our people safe means that we need to extend our efforts beyond South
14 Dakota. The Biden Administration's failures at the border have been so well documented that I don't
15 need to go into them at great length here. For the third time in less than three years, South Dakota
16 National Guard troops went to help. When I was with our soldiers at the border, I saw the inhumanity
17 of Biden's failed policies.

18 Until those policies change, the lack of security at the Southern Border is making South Dakotans
19 less safe here at home. Drugs and human trafficking are devastating communities. More than 70%
20 of the overdose deaths in America are now caused by fentanyl. South Dakota is not immune. We
21 have led the nation in the decrease in overdose deaths two out of the past three years, and we are
22 2nd lowest in the nation overall. But we can't stop there – we need to tackle the rising challenge of
23 fentanyl and address the drug xylazine, otherwise known as the "zombie" drug.

24 When xylazine is mixed with fentanyl, it makes an already deadly drug even deadlier, and it brings
25 with it a whole host of negative health consequences. My Department of Health is working with
26 Attorney General Jackley on legislation to schedule xylazine as a schedule III controlled substance
27 to combat this challenge in South Dakota.

28 **#6 Way that Freedom Works Here: Freedom to Get a Second Chance**

29 But if South Dakotans do get involved in drugs or another aspect of crime, that should not be the
30 final word. Their punishment should match their crime, but they should also have the opportunity
31 to rehabilitate and become better, more capable members of our society.

32 The new prisons that we are working together to construct will help achieve this, but we are not
33 waiting until they are constructed to provide second chances for our people. Late last year, I spoke
34 at a graduation for the Sixth Circuit Problem-Solving Court. Eight graduates – all of whom had been
35 sober for a year or more – stood up and shared their stories and their hopes and dreams for the
36 future. In fact, more than 150 South Dakotans graduated from this initiative last year. This is a
37 rigorous program that includes five phases and requires frequent alcohol and drug testing. It's a
38 proven strategy that reduces recidivism, saves taxpayer dollars in the long-run, and restores hope
39 and dignity for these individuals.

40 We have with us today Leta Wise Spirit, a wonderful woman who has done incredible things
41 throughout the community. When I spoke at the problem-solving court graduation, Leta was
42 recognized by the judges for her contributions and volunteer work. Leta, thank you for supporting
43 these individuals – and thank you for everything that you do for our great state. We need more
44 people like you in this world helping people recover and supporting them through this process of
45 healing. Would you all join me in giving Leta Wise Spirit a round of applause?

46 Unfortunately, we can't provide this type of programming in our old and overcrowded prisons. Last
47 month, I commuted the sentence of a number of inmates, who qualified, giving them parole. They
48 had been incarcerated with ingestion as their highest offense. Now they can begin their supervised
49 transitions back into the community. We will continue to evaluate these second-chance opportunities
50 for those who can prove they deserve them.

51 Once individuals are out of custody and back into society, we want them to have the opportunity to
52 build a career so that they can provide for themselves and their families. In the last several years,

1 we have advanced licensure reform in a variety of ways. There is another step on this path that we
2 should take. My Department of Labor & Regulation is bringing legislation to provide second-chance
3 license opportunities. This bill creates a set of standards to consider criminal histories and any
4 possible rehabilitation by applicants and licensees. We need more plumbers, more electricians, more
5 welders, and an unrelated criminal past shouldn't stop qualified applicants from filling these roles.

6 **#5 Way that Freedom Works Here: Freedom to Be Respected**

7 Providing these kinds of opportunities is about dignity – and it's also about respect. We should
8 respect every person as an individual; as an equal; as an American. Tomorrow, on State-Tribal
9 Relations Day, we will advance an effort that I have been working on since I became governor. We
10 will hang tribal flags in the Rotunda of this Capitol. Three years ago, I signed legislation allowing
11 our state's nine Native American tribes to have their respective tribal flags hung in the Rotunda. We
12 will hang the first of those flags: the flags of the Standing Rock Sioux Tribe and the Rosebud Sioux
13 Tribe. Our tribes are part of who we are as South Dakotans, and we will respect their heritage.

14 We will also continue to support the Freedom of our Jewish and Israeli neighbors to be respected.
15 On October 7, Hamas terrorists committed atrocities against the nation of Israel, some of which are
16 so savage they are unspeakable. Since then, further hate and discrimination has occurred in America
17 at an increased rate of 388% over the last year. College campuses across the country have become
18 breeding grounds for disgusting antisemitic acts. Recently, there have even been isolated incidents
19 here in South Dakota. The more it happens, the more it will be normalized. We must stop it before
20 that happens. I am proud to support legislation this year to define antisemitism to make it easier to
21 prove when conduct is motivated by antisemitism. This strengthens our anti-discrimination laws and
22 ensures our allies and our citizens are safe and protected.

23 **#4 Way that Freedom Works Here: Freedom to Learn**

24 This includes supporting the teachers who give our kids that opportunity to learn. Teachers salaries
25 have not kept up with increased funding to education. After this year, we will have raised funding
26 to K-12 in South Dakota by more than 26% since I have been Governor, but teacher pay lags far
27 behind. Our teachers deserve better.

28 Yes, I know that schools have their own challenges. But I also know this: the Blue-Ribbon
29 recommendation wasn't just that teacher pay would go up – the Blue-Ribbon promise was that
30 teachers would be the first priority – that they would be paid more. So let's do it.

31 In my Budget Address last month, I discussed the particular success of the Jobs for America's
32 Graduates program, which is preparing at-risk high school students for college or a career once they
33 graduate. These students are accomplishing incredible things. We have with us here today one such
34 student who I am confident will accomplish fantastic things in the life ahead of her. Melina Shields
35 is the first and current statewide president of JAG-SD. She is a junior at Lyman High School in
36 Presho. Melina has represented South Dakota at the JAG national leadership conference in
37 Washington, D.C., twice. Because of her visits to D.C., she is interested in pursuing a degree in
38 political science and business, and perhaps someday representing South Dakota in a leadership role.
39 She and the other Lyman JAG students are working to coordinate a community meal for the town
40 of Lower Brule, which will be held this month. Melina has faced some challenges in life, and she
41 could have let that stop her from succeeding. But because of her own hard work – and the support
42 of the JAG initiative – she is setting herself up for a lifetime of success and a bright, bright future.
43 Would you all join me in giving Melina a round of applause?

44 When students graduate, we want them to have every opportunity open for them. Some of them
45 will jump right into a career – and that's great! Some of them will go to one of our tech colleges –
46 and we have some of the very best in the nation. Some will go to college. Some might even join our
47 National Guard – and then go to college. The young adults who make that brave choice to raise their
48 right hand and serve our nation deserve our utmost respect, our thanks, and our support. Last year,
49 this body worked with me to extend tuition for South Dakota National Guardsmen and women to
50 100% at our state universities. I'm asking you to finish the job and extend that opportunity to
51 soldiers and airmen who choose to go to private colleges here in South Dakota.

52 **#3 Way that Freedom Works Here: Freedom to be healthy**

53 In South Dakota, we value living a healthy life, no matter where you live. Every South Dakotan
54 should have the Freedom to live where they want – but they shouldn't have to choose between a

1 rural way of life and good health outcomes. In our rural communities, emergency responders are
2 sometimes the only local healthcare providers. They often show up in our very worst moments. But
3 the nationwide EMT turnover rate is 36%. And in South Dakota, nearly 90% of our emergency
4 medical services are done by volunteers.

5 I have worked to support the dedicated men and women of this critical workforce. For the past two
6 years, my Department of Health has been working to advance EMS access across our state with a
7 \$20 million investment. We put brand new state-of-the-art LIFEPAK 15s in the back of ambulances
8 across South Dakota. We also worked with Indian Health Services to get these devices to ambulance
9 crews in Eagle Butte and Pine Ridge.

10 And we just completed a comprehensive analysis of the current state of EMS in South Dakota
11 through more than 400 stakeholder meetings over the course of 8 months. Later this year, the
12 Department of Health will roll out a \$7.5 million grant program to ambulance services. This effort
13 will support the implementation of regional hubs and much more.

14 EMS transport times range from a few minutes to over an hour. During those transports, EMS
15 professionals are in the back of an ambulance caring for the patient, oftentimes alone. South Dakota
16 changed that. We are the first state in the country to implement Telemedicine in Motion. We are
17 using telemedicine to connect physicians, nurses, and paramedics with the EMS personnel in the
18 field. We work with our partners at Avel eCare to do it. There is nothing else like it in the country –
19 and it is saving lives. Nearly 90 ambulance services throughout the state have installed Telemedicine
20 in Motion.

21 One of the first major calls to Telemedicine in Motion came last December. A rancher was out caring
22 for his buffalo when he was attacked by one of his animals. His injuries were life threatening –
23 dozens of injuries from the horns and hooves of the animal, multiple broken ribs, lungs filling with
24 blood, broken neck, and more. After pulling himself into a front-loader and driving back home for
25 help, he was picked up by the local EMS agency who connected with the Avel team via telemedicine.
26 A board-certified physician and nurses were on camera to help stabilize the rancher, coordinate with
27 the receiving hospital, and activate the care flight team to expedite the transfer of the patient to
28 Sioux Falls. Once the EMS crew arrived at the hospital, Avel maintained their support of the patient
29 since Avel Emergency was installed in the hospital's ER. After the patient recovered, he shared
30 feedback with the care team: "They held my life in their hands and gave it back to me, something
31 that I will be forever grateful for."

32 Ladies and Gentlemen, please welcome a buffalo rancher and outfitter from Gann Valley, Jim Lutter,
33 along with his wife Cindy. Jim is still here with us today thanks to the dedicated work of Ed
34 Koenechne from Kimball Ambulance Service, and our Telemedicine in Motion partners from Avel
35 eCare in Sioux Falls.

36 Ed is just a volunteer, but he saved Jim's life that day, and he did it with the help of Dr. Katie DeJong
37 along with nurse Casie Hunter, who are on the Avel team. Today, I have a very special
38 announcement to make. I would like to honor Ed Konechne, Dr. Katie DeJong, and Casie Hunter
39 with the Governor's Award for Heroism for their incredible action to save Jim's life.

40 These efforts are an investment in the future of EMS. More importantly, they are saving lives.

41 **#2 Way that Freedom Works Here: Freedom for life**

42 In order to live a healthy life, we must first have the Freedom get off to the right start. That Freedom
43 extends to every single South Dakotan – before they are born; after they are born; until the day
44 they die. Later this week, I will proclaim that 2024 will be "Freedom for Life Year" in South Dakota.
45 The most important way that we will advance this is by taking care of both moms and their babies
46 before birth AND after. Being pro-life means valuing the child's life before their birth and throughout
47 their life; it also means valuing and protecting that mother's life.

48 The first 1,000 days of a child's life (from the moment they are conceived to their 2nd birthday) are
49 the most significant days for their development. Research in the fields of neuroscience, biology, and
50 early childhood development has given us powerful insights into how nutrition, relationships,
51 behaviors, and environments in the first 1,000 days shape future outcomes. Mom and baby must
52 both be well nourished and cared for – that will lead to healthy physical, emotional, and mental

1 growth as a child’s brain and body grow and develop. For instance, poor nutrition in the first 1,000
2 days can cause irreversible damage to a child’s growing brain, affecting their future in school and
3 beyond. It can also set the stage for later obesity, diabetes, and other chronic health problems. It
4 can even contribute to the next generation’s risk of poverty and poor health and behavioral
5 outcomes.

6 If a baby is exposed to drug use, alcohol or tobacco use, poor health environments, or sexually
7 transmitted illnesses; if there is a lack of good hygiene in the home, or lack of prenatal care and
8 well child visits; if the child’s mother is abused; if the child does not have a safe sleep environment
9 – each of these can have countless negative impacts on that baby’s future.

10 We care about the lives of our mothers and children. We have dedicated resources and time. But
11 we can still do more to prevent the rising death rates of South Dakota moms and babies, particularly
12 among Native Americans living on tribal lands.

13 So what are we doing in South Dakota? We are offering the Bright Start program to get one-on-one
14 nursing services to first-time moms and their babies from pregnancy until the child’s second
15 birthday. The Department of Social Services’ Pregnancy Health Home will offer care coordination to
16 all pregnant mothers who are enrolled in Medicaid. These moms also have access to prenatal and
17 postpartum coverage for up to a year after birth along with well-child and health maintenance
18 exams.

19 The majority of infant deaths can be directly tied to unsafe sleep habits, so DOH provides safe sleep
20 recommendations and education to new and expecting parents.

21 We help moms and families that struggle with smoking, drugs, or alcohol. DSS provides help for
22 pregnant moms struggling with substance abuse disorder, walking with them and holding them
23 accountable through their treatment.

24 We are doing all of this and so much more to help moms, families, and their babies both before
25 birth and after. You can find all of this information in one place on Life.SD.gov. Moms can go there
26 to answer questions about pregnancy, parenting, available financial resources, adoption, and more.

27 **#1 Way that Freedom Works Here: Freedom to Work**

28 This is what America was built on. South Dakotans will continue to remind the rest of the country
29 the value of hard work and the dignity it brings. We have the Freedom to get up every morning and
30 to provide for ourselves and our families. That’s the American Dream.

31 I always say that South Dakotans are some of the hardest working people that I have ever met. We
32 still understand the value of hard work. And my goal as Governor has never been to create a
33 government that does everything for people, but to create a government that empowers our people
34 to do things for themselves.

35 When a global pandemic hit, many states closed down. South Dakotans kept working. While other
36 states were experiencing record high unemployment levels, we broke the national record for the
37 lowest state unemployment less than a year ago. We are creating opportunities for people to get
38 into the career of their dreams. Last year, we announced an effort to expand apprenticeship
39 opportunities for professions across the state. We wanted to give workers the opportunity to get
40 trained for a career while still bringing home a paycheck. We wanted to give businesses the support
41 they need to start and expand apprenticeship programs. In just the first two quarters since launching
42 the expanded effort, we’ve more than doubled the amount of new apprenticeships from recent years.
43 And we’re just getting started.

44 I knew that if we could just tell our story, Freedom-loving Americans from across the country would
45 want to be a part of what we’re doing here. I knew that we needed to celebrate our success – then
46 take the opportunity to capitalize and build on it. I knew that we had to show all of America that
47 Freedom Works Here.

48 We are continuing the Freedom Works Here workforce recruitment campaign. This campaign is only
49 six months old, and we’ve received thousands of applicants interested in moving to our state just

1 through the program, not counting those who independently made the move. Thousands have
2 already moved here! The ads have been viewed about 850 million times nationwide.

3 We did some research into some of the most-needed professions in South Dakota. The results were
4 professions like electricians, plumbers, welders, and even accountants, so we've targeted ads
5 towards those professions. After our first round of ads, I had businesses asking me how they could
6 help us keep the campaign going. It quickly became clear that these ads were working, and that we
7 needed to do more. Last week, we partnered with Avera, Monument, and Sanford to roll out the
8 latest ad to recruit nurses to the state – that is our single highest number of job openings that we
9 need to fill.

10 These ads are so successful because they tell South Dakota's story. Our state licensing boards are
11 reporting huge increases of out-of-state applicants seeking licenses in South Dakota – including a
12 78% increase in plumbers, a 44% increase in electricians, and a 43% increase in accountants. Our
13 labor force has grown by more than 10,000 people in just the last year. Our license recognition bill
14 combined with the microphone of Freedom Works Here is a powerful tandem to fill these much-
15 needed jobs.

16 That is a story that many people across this country have never heard before. Folks are moving
17 here in record numbers to become a part of our winning way of life. Californians and New Yorkers
18 have never seen a state like ours – one that trusts our people, and one that embraces and promotes
19 liberty and Freedom. This is indisputably the most impactful workforce campaign in South Dakota's
20 history.

21 **Conclusion**

22 Well, there you have it. My Top Ten reasons why Freedom Works Here in South Dakota. I'm sure
23 that there are more, though. In fact, I'd say there are more than 900,000 reasons why Freedom
24 Works Here – because every single resident of South Dakota represents our way of life, our God-
25 given rights, and our Freedoms that we hold so dear.

26 I will continue to challenge the status quo, push innovation, and look for out-of-the-box solutions.
27 Look at everything our state has accomplished in the last five years! We would not be where we are
28 today, experiencing the growth that we have been for several years, if we had not figured out how
29 to keep the momentum of our success going.

30 I am not going to slow down now. We can't afford it. Not when people are flocking here by the
31 thousands to see what we're all about. Not when we are one of the few beacons of hope left in this
32 country.

33 Freedom Works Here. Our people are thriving because of it. Thank you. God bless you. And may
34 God continue to bless the great state of South Dakota.

35 Sen. Crabtree moved that the Joint Session do now dissolve.

36 Which motion prevailed.