

# *JOURNAL OF THE SENATE*

## *NINETY-NINTH SESSION*

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THIRTY-FIRST DAY

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STATE OF SOUTH DAKOTA  
Senate Chamber, Pierre  
Tuesday, February 27, 2024

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

The prayer was offered by the Chaplain, John Fette, followed by the Pledge of Allegiance led by Senate pages Addison Pearl and Baylie Somsen.

Roll Call: All members present except Sens. Diedrich and Otten (Herman) who were excused.

### **APPROVAL OF THE JOURNAL**

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the 30th day.

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

And we hereby move the adoption of the report.

Respectfully submitted,  
Lee A. Schoenbeck, Chair

Which motion prevailed.

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**COMMUNICATIONS AND PETITIONS**

2

February 27, 2024

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Mr. President and Members of the Senate:

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I have the honor to inform you that on February 27, 2024, I approved Senate Bills 11, 46, 94, and 131, and the same have been deposited in the office of the Secretary of State.

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Respectfully submitted,

7

Kristi Noem

8

Governor

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**REPORTS OF STANDING COMMITTEES**

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MR. PRESIDENT:

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The Committee on Senate Agriculture and Natural Resources respectfully reports that it has had under consideration the nomination of Travis Theel of Pennington County, Rapid City, South Dakota, to the Game, Fish, and Parks Commission and returns the same with the recommendation that the Senate advise and consent to the confirmation of said appointment.

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Respectfully submitted,

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Randy Deibert, Vice-Chair

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MR. PRESIDENT:

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The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **SB 10, 18, 50, 61, 98, 115, 117, 148, 172, and 175** and finds the same correctly enrolled.

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Respectfully submitted,

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Lee A. Schoenbeck, Chair

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MR. PRESIDENT:

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The Committee on Legislative Procedure respectfully reports that **SB 9, 15, 42, 76, 81, 84, 85, 86, 112, 152, and 169** were delivered to her Excellency, the Governor, for her approval at 9:25 a.m., February 27, 2024.

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Respectfully submitted,

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Lee A. Schoenbeck, Chair

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**MESSAGES FROM THE HOUSE**

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MR. PRESIDENT:

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I have the honor to transmit herewith **HB 1022, 1061, 1064, 1065, 1093, and 1201** which have passed the House and your favorable consideration is respectfully requested.

32

1 Also MR. PRESIDENT:

2 I have the honor to return herewith **SB 43, 58, and 64** which have been amended by the  
3 House and your concurrence in the amendments is respectfully requested.

4 Also MR. PRESIDENT:

5 I have the honor to return herewith **SB 18, 50, 61, 98, 115, 117, 148, and 175** which have  
6 passed the House without change.

7 Respectfully,  
8 Patricia Miller, Chief Clerk

9 **MOTIONS AND RESOLUTIONS**

10 Sen. Duhamel moved that the Senate do concur in House amendments to **SB 99**.

11 The question being on Sen. Duhamel's motion that the Senate do concur in House amendments  
12 to **SB 99**.

13 And the roll being called:

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

15 Yeas: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Foster, Frye-Mueller,  
16 Hoffman, Hunhoff, Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Mehlhaff,  
17 Nesiba, Novstrup, Pischke, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler,  
18 Wiik, Wink, and Zikmund

19 Excused: Diedrich and Otten (Herman)

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

22 Sen. Deibert moved that the Senate do concur in House amendments to **SB 111**.

23 The question being on Sen. Deibert's motion that the Senate do concur in House amendments  
24 to **SB 111**.

25 And the roll being called:

26 Yeas 30, Nays 3, Excused 2, Absent 0

27 Yeas: Beal, Bolin, Breitling, Crabtree, Davis, Deibert, Duhamel, Frye-Mueller, Hoffman,  
28 Hunhoff, Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Mehlhaff, Novstrup,  
29 Pischke, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, Wink, and  
30 Zikmund

31 Nays: Bordeaux, Foster, and Nesiba

32 Excused: Diedrich and Otten (Herman)

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

1 Sen. Crabtree moved that **SB 49, 80, 134, and 144** be placed to follow **SB 209** on today's  
2 calendar.

3 Which motion prevailed.

4 Sen. Crabtree moved that **HB 1057 and 1092** be deferred to Wednesday, February 28, 2024,  
5 the 32<sup>nd</sup> legislative day.

6 Which motion prevailed.

## 7 **CONSIDERATION OF REPORTS OF COMMITTEES**

8 Sen. Crabtree moved that the report of the Standing Committee on

9 Health and Human Services on **HB 1202** as found on page 408 of the Senate Journal be  
10 adopted.

11 Which motion prevailed and the report was adopted.

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

13 **HB 1022:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of  
14 Education to provide professional development in literacy to teachers, and to declare an emergency.

15 **HB 1061:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to  
16 emergencies and disasters impacting the state and to declare an emergency.

17 **HB 1064:** FOR AN ACT ENTITLED, An Act to make an appropriation for increases in the  
18 construction costs of infrastructure at Lake Alvin and Newell Lake, and to declare an emergency.

19 **HB 1065:** FOR AN ACT ENTITLED, An Act to make an appropriation for the design and  
20 construction of a multi-use building on the grounds of the State Fair and to declare an emergency.

21 **HB 1093:** FOR AN ACT ENTITLED, An Act to make an appropriation to provide a grant for the  
22 construction of a facility to provide certain health facilities and services.

23 **HB 1201:** FOR AN ACT ENTITLED, An Act to make an appropriation for the teacher  
24 apprenticeship pathway program.

25 Were read the first time and the President waived the committee referral pursuant to  
26 JR 6D-1.

## 27 **SECOND READING OF CONSENT CALENDAR ITEMS**

28 **HB 1130:** FOR AN ACT ENTITLED, An Act to revise water development district boundaries.

29 Was read the second time.

30 The question being "Shall **HB 1130** pass as amended?"

31 And the roll being called:

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

2 Yeas: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Foster, Frye-Mueller,  
3 Hoffman, Hunhoff, Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Mehlhaff,  
4 Nesiba, Novstrup, Pischke, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler,  
5 Wiik, Wink, and Zikmund

6 Excused: Diedrich and Otten (Herman)

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

9 Sen. Bolin now presiding.

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

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

13 Was read the second time.

14 The question being "Shall **SB 45** pass as amended?"

15 And the roll being called:

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

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

21 Nays: Hoffman

22 Excused: Diedrich and Otten (Herman)

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

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

27 Was read the second time.

28 The question being "Shall **SB 53** pass as amended?"

29 And the roll being called:

30 Yeas 31, Nays 2, Excused 2, Absent 0

31 Yeas: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Hoffman, Hunhoff,  
32 Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Mehlhaff, Nesiba, Novstrup,  
33 Pischke, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, Wink, and  
34 Zikmund

1 Nays: Foster and Frye-Mueller

2 Excused: Diedrich and Otten (Herman)

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

5 President Rhoden now presiding.

6 **SB 83:** FOR AN ACT ENTITLED, An Act to make an appropriation for the revised construction  
7 costs of maintenance shops for the Wildland Fire Suppression Division and to declare an emergency.

8 Was read the second time.

9 Sen. Breitling moved that **SB 83** be amended as follows:

10 83C

11 On page 1, line 1, of the Joint Appropriations Engrossed bill, delete " to support firefighter  
12 training efforts in the state" and insert " for the revised construction costs of maintenance shops for  
13 the Wildland Fire Suppression Division and to declare an emergency"

14 On the Joint Appropriations Engrossed bill, delete everything after the enacting clause and  
15 insert:"

16 **Section 1.** There is appropriated from the general fund the sum of \$700,000 to the  
17 Department of Public Safety for covering increased costs related to the construction of a  
18 maintenance shop for the Wildland Fire Suppression Division in Rapid City as established in 2023  
19 Session Laws, chapter 196, § 1.

20 **Section 2.** There is appropriated from the general fund the sum of \$700,000 to the  
21 Department of Public Safety for covering increased costs related to the construction of a  
22 maintenance shop for the Wildland Fire Suppression Division in Hot Springs as established in 2023  
23 Session Laws, chapter 197, § 1.

24 **Section 3.** The secretary of the Department of Public Safety shall approve vouchers and the  
25 state auditor shall draw warrants to pay expenditures authorized by this Act.

26 **Section 4.** Any amounts appropriated in this Act not lawfully expended or obligated by June  
27 30, 2027 shall revert in accordance with the procedures prescribed in chapter 4-8.

28 **Section 5.** Whereas, this Act is necessary for the support of the state government and its  
29 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full  
30 force and effect from and after its passage and approval."

31 Which motion prevailed.

32 The question being "Shall **SB 83** pass as amended?"

33 And the roll being called:

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

35 Yeas: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Foster, Frye-Mueller,  
36 Hoffman, Hunhoff, Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Mehlhaff,  
37 Nesiba, Novstrup, Pischke, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler,  
38 Wiik, Wink, and Zikmund

1 Excused: Diedrich and Otten (Herman)

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

4 **SB 125:** FOR AN ACT ENTITLED, An Act to require the Department of Social Services to  
5 conduct a state-wide study on child care, to provide an appropriation therefor, and to declare an  
6 emergency.

7 Was read the second time.

8 Sen. Hunhoff moved that **SB 125** be laid on the table.

9 And the roll being called:

10 Yeas 29, Nays 4, Excused 2, Absent 0

11 Yeas: Beal, Bolin, Breitling, Crabtree, Davis, Deibert, Duhamel, Frye-Mueller, Hoffman,  
12 Hunhoff, Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Maher, Mehlhaff, Novstrup, Pischke,  
13 Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, Wink, and Zikmund

14 Nays: Bordeaux, Foster, Larson, and Nesiba

15 Excused: Diedrich and Otten (Herman)

16 So the motion having received an affirmative vote of a majority of the members-elect, the  
17 President declared the motion carried and **SB 125** was tabled.

18 **SB 168:** FOR AN ACT ENTITLED, An Act to make an appropriation for victim services.

19 Was read the second time.

20 Sen. Hunhoff moved that **SB 168** be amended as follows:

21 168E

22 On page 2, after line 2, of the Joint Appropriations Engrossed bill, insert: "

23 **Section 5.** This Act is effective beginning June 25, 2024."

24 Which motion prevailed.

25 The question being "Shall **SB 168** pass as amended?"

26 And the roll being called:

27 Yeas 30, Nays 3, Excused 2, Absent 0

28 Yeas: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Foster, Hunhoff,  
29 Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Mehlhaff, Nesiba, Novstrup, Reed,  
30 Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, Wink, and Zikmund

31 Nays: Frye-Mueller, Hoffman, and Pischke

32 Excused: Diedrich and Otten (Herman)

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

3 **SB 187:** FOR AN ACT ENTITLED, An Act to make an appropriation to establish a cybersecurity  
4 services initiative for counties and municipalities and to declare an emergency.

5 Was read the second time.

6 The question being "Shall **SB 187** pass as amended?"

7 And the roll being called:

8 Yeas 28, Nays 5, Excused 2, Absent 0

9 Yeas: Beal, Bolin, Breitling, Crabtree, Davis, Deibert, Duhamel, Frye-Mueller, Hunhoff,  
10 Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Maher, Mehlhaff, Novstrup, Pischke, Reed, Rohl,  
11 Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, Wink, and Zikmund

12 Nays: Bordeaux, Foster, Hoffman, Larson, and Nesiba

13 Excused: Diedrich and Otten (Herman)

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

16 **SB 209:** FOR AN ACT ENTITLED, An Act to make an appropriation for grants to assisted living  
17 centers and nursing facilities for costs related to telemedicine.

18 Was read the second time.

19 The question being "Shall **SB 209** pass?"

20 And the roll being called:

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

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

26 Excused: Diedrich and Otten (Herman)

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

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

32 Was read the second time.

33 The question being "Shall **SB 49** pass as amended?"

34 And the roll being called:

1 Yeas 27, Nays 6, Excused 2, Absent 0

2 Yeas: Beal, Breitling, Crabtree, Davis, Deibert, Duhamel, Foster, Hoffman, Hunhoff, Johnson,  
3 Klumb, Kolbeck (Jack), Kolbeck (Steve), Maher, Mehlhaff, Novstrup, Reed, Rohl, Schoenbeck,  
4 Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, Wink, and Zikmund

5 Nays: Bolin, Bordeaux, Frye-Mueller, Larson, Nesiba, and Pischke

6 Excused: Diedrich and Otten (Herman)

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

9 **SB 80:** FOR AN ACT ENTITLED, An Act to improve technology equipment for providers of  
10 elderly care and to make an appropriation therefor.

11 Was read the second time.

12 Sen. Davis moved that **SB 80** be amended as follows:

13 80C

14 On page 1, line 4, of the Joint Appropriations Engrossed bill, delete " \$1" and insert "  
15 \$3,000,000"

16 Which motion prevailed.

17 The question being "Shall **SB 80** pass as amended?"

18 And the roll being called:

19 Yeas 30, Nays 3, Excused 2, Absent 0

20 Yeas: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Foster, Hunhoff,  
21 Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Mehlhaff, Nesiba, Novstrup, Reed,  
22 Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, Wink, and Zikmund

23 Nays: Frye-Mueller, Hoffman, and Pischke

24 Excused: Diedrich and Otten (Herman)

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

27 **SB 134:** FOR AN ACT ENTITLED, An Act to make an appropriation to create the healthy forest  
28 critical infrastructure relief and grant program and to declare an emergency.

29 Was read the second time.

30 The question being "Shall **SB 134** pass as amended?"

31 And the roll being called:

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

1 Yeas: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Foster, Frye-Mueller,  
 2 Hoffman, Hunhoff, Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Mehlhaff,  
 3 Nesiba, Novstrup, Pischke, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler,  
 4 Wiik, Wink, and Zikmund

5 Excused: Diedrich and Otten (Herman)

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

8 **SB 144:** FOR AN ACT ENTITLED, An Act to make an appropriation for grants to support airport  
 9 terminal improvement, expansion, and infrastructure projects.

10 Was read the second time.

11 Sen. Kolbeck (Jack) moved that **SB 144** be amended as follows:

12 144F

13 On page 1, line 4, of the Joint Appropriations Engrossed bill, delete " \$1" and insert "  
 14 \$19,500,000"

15 Which motion prevailed.

16 The question being "Shall **SB 144** pass as amended?"

17 And the roll being called:

18 Yeas 31, Nays 2, Excused 2, Absent 0

19 Yeas: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Foster, Hoffman,  
 20 Hunhoff, Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Mehlhaff, Nesiba,  
 21 Novstrup, Reed, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, Wink, and  
 22 Zikmund

23 Nays: Frye-Mueller and Pischke

24 Excused: Diedrich and Otten (Herman)

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

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

28 **HB 1098:** FOR AN ACT ENTITLED, An Act to provide free birth certificates to persons  
 29 experiencing homelessness.

30 Was read the second time.

31 The question being "Shall **HB 1098** pass as amended?"

32 And the roll being called:

33 Yeas 28, Nays 5, Excused 2, Absent 0

1 Yeas: Beal, Bolin, Bordeaux, Breitling, Davis, Deibert, Duhamel, Foster, Hoffman, Hunhoff,  
2 Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Mehlhaff, Nesiba, Novstrup, Reed, Rohl,  
3 Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, and Zikmund

4 Nays: Crabtree, Frye-Mueller, Maher, Pischke, and Wiik

5 Excused: Diedrich and Otten (Herman)

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

8 **HB 1131:** FOR AN ACT ENTITLED, An Act to waive certain fees for nondriver identification  
9 cards for individuals who are homeless.

10 Was read the second time.

11 The question being "Shall **HB 1131** pass as amended?"

12 And the roll being called:

13 Yeas 27, Nays 6, Excused 2, Absent 0

14 Yeas: Beal, Bolin, Bordeaux, Breitling, Davis, Deibert, Duhamel, Foster, Hunhoff, Johnson,  
15 Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Mehlhaff, Nesiba, Novstrup, Reed, Rohl,  
16 Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, and Zikmund

17 Nays: Crabtree, Frye-Mueller, Hoffman, Maher, Pischke, and Wiik

18 Excused: Diedrich and Otten (Herman)

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

21 **HB 1178:** FOR AN ACT ENTITLED, An Act to prohibit the Board of Regents or any institution  
22 under its control from using state resources for obscene live conduct.

23 Was read the second time.

24 The question being "Shall **HB 1178** pass as amended?"

25 And the roll being called:

26 Yeas 27, Nays 5, Excused 3, Absent 0

27 Yeas: Beal, Bolin, Breitling, Crabtree, Davis, Deibert, Duhamel, Frye-Mueller, Hoffman,  
28 Hunhoff, Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Maher, Mehlhaff, Novstrup, Pischke,  
29 Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

30 Nays: Bordeaux, Larson, Nesiba, Reed, and Walsh

31 Excused: Diedrich, Foster, and Otten (Herman)

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



1 The question being "Shall **HB 1225** pass as amended?"

2 And the roll being called:

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

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

8 Excused: Diedrich and Otten (Herman)

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

11 **HB 1060:** FOR AN ACT ENTITLED, An Act to revise certain provisions related to travel  
12 reimbursement.

13 Was read the second time.

14 The question being "Shall **HB 1060** pass as amended?"

15 And the roll being called:

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

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

21 Excused: Diedrich and Otten (Herman)

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

24 **HB 1118:** FOR AN ACT ENTITLED, An Act to revise unclaimed property provisions.

25 Was read the second time.

26 Sen. Wiik moved that **HB 1118** be amended as follows:

27 1118D

28 On page 1, line 16, of the House Appropriations Engrossed bill, remove the overstrikes from  
29 "The administrator may pay from the unclaimed property trust fund:"

30 On page 1, line 17, of the House Appropriations Engrossed bill, remove the overstrikes from  
31 "(1) Any costs in connection with the sale of abandoned property;"

32 On page 1, line 18, of the House Appropriations Engrossed bill, remove the overstrikes from  
33 "(2) Costs of mailing and publication in connection with any abandoned property;"

34 On page 1, line 19, of the House Appropriations Engrossed bill, remove the overstrikes from  
35 "(3) Reasonable service charges; and"

1 On page 1, line 20, of the House Appropriations Engrossed bill, remove the overstrikes from  
2 "(4) Costs incurred in examining records of holders of property and in collecting the property from  
3 those holders."

4 On page 1, line 22, of the House Appropriations Engrossed bill, after "holders." delete "Section  
5 2. That § 43-41B-24. 1 be AMENDED:"

6 On page 1, line 23, of the House Appropriations Engrossed bill, after "AMENDED:" delete "43-  
7 41B-24. 1. "

8 On page 1, line 23, of the House Appropriations Engrossed bill, after "43-41B-24.1. " delete  
9 "Money in the unclaimed property trust fund for the payment of costs and expenses authorized  
10 under § 43-41B-24 claims and costs incurred in examining records of holders of property and in  
11 collecting the property from those holders is continuously appropriated for those purposes. Any  
12 expenditures shall. Expenditures for claims and costs incurred in examining records of holders of  
13 property and in collecting the property from those holders must be paid upon warrants drawn by  
14 the state auditor pursuant to vouchers authorized by the state treasurer. All funds moneys paid out  
15 by the state treasurer for claims and costs incurred in examining records of holders of property and  
16 in collecting the property from those holders under chapter 43-41B shall must be set forth in an  
17 informational budget as described in § 4-7-7. 2 and be annually reviewed by the Legislature. Any  
18 expenditure other than unclaimed property claims that exceeds the informational budget shall be  
19 approved by the Board of Finance pursuant to chapter 4-1."

20 On page 2, line 10, of the House Appropriations Engrossed bill, after "4-1." delete "Section 3.  
21 That chapter 43-41B be amended with a NEW SECTION:"

22 On page 2, line 11, of the House Appropriations Engrossed bill, after "SECTION:" delete "The  
23 operational expenses for unclaimed property, including costs in connection with the sale of  
24 abandoned property, personnel, costs of mailing and publication, and service charges, must be paid  
25 from general appropriations in the general appropriations act."

26 Which motion lost.

27 The question being "Shall **HB 1118** pass as amended?"

28 And the roll being called:

29 Yeas 23, Nays 10, Excused 2, Absent 0

30 Yeas: Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Foster, Hoffman, Hunhoff,  
31 Johnson, Kolbeck (Steve), Larson, Maher, Nesiba, Reed, Rohl, Schoenbeck, Schoenfish, Tobin,  
32 Walsh, Wheeler, Wink, and Zikmund

33 Nays: Beal, Bolin, Frye-Mueller, Klumb, Kolbeck (Jack), Mehlhaff, Novstrup, Pischke, Stalzer,  
34 and Wiik

35 Excused: Diedrich and Otten (Herman)

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

38 **HB 1211**: FOR AN ACT ENTITLED, An Act to repeal the Midwestern Regional Higher Education  
39 Compact.

40 Was read the second time.

41 Sen. Nesiba moved that **HB 1211** be amended as follows:

1

1211A

2 On page 6, after line 23, of the Introduced bill, insert: "

3 **Section 3. This Act is effective July 1, 2024. The State of South Dakota's withdrawal from the**  
4 **compact is effective July 1, 2026.** "

5 Which motion lost.

6 The question being "Shall **HB 1211** pass?"

7 And the roll being called:

8 Yeas 27, Nays 5, Excused 3, Absent 0

9 Yeas: Beal, Bolin, Breitling, Crabtree, Davis, Deibert, Duhamel, Frye-Mueller, Hoffman,  
10 Hunhoff, Johnson, Klumb, Kolbeck (Jack), Kolbeck (Steve), Maher, Mehlhaff, Novstrup, Pischke,  
11 Rohl, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, Wink, and Zikmund

12 Nays: Bordeaux, Foster, Larson, Nesiba, and Schoenbeck

13 Excused: Diedrich, Otten (Herman), and Reed

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

16

### **SIGNING OF BILLS**

17 The President publicly read the title to

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

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

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

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

26 **SB 98:** FOR AN ACT ENTITLED, An Act to establish the admissibility of evidence of similar  
27 crimes in child molestation cases.

28 **SB 115:** FOR AN ACT ENTITLED, An Act to prevent a county, township, or municipality from  
29 authorizing a guaranteed income program.

30 **SB 117:** FOR AN ACT ENTITLED, An Act to revise provisions regarding industrial hemp.

31 **SB 148:** FOR AN ACT ENTITLED, An Act to provide permissive authority to a governing body  
32 of a municipality or county to deny reissuance of an on-sale license not actively used.

33 **SB 172:** FOR AN ACT ENTITLED, An Act to allow a person to temporarily take responsibility of  
34 a feral cat for the purpose of spaying or neutering the animal.

1 **SB 175:** FOR AN ACT ENTITLED, An Act to add a domestic abuse shelter to the definition of a  
2 community safety zone.

3 **HB 1038:** FOR AN ACT ENTITLED, An Act to exclude certain habitual DUI offenders from  
4 eligibility for presumptive probation.

5 **HB 1076:** FOR AN ACT ENTITLED, An Act to require the consideration of the definition of  
6 antisemitism when investigating unfair or discriminatory practices.

7 **HB 1089:** FOR AN ACT ENTITLED, An Act to exclude certain crimes from presumptive  
8 probation.

9 **HB 1096:** FOR AN ACT ENTITLED, An Act to provide that a temporary restraining order may  
10 extend beyond thirty days in certain circumstances involving stalking.

11 **HB 1183:** FOR AN ACT ENTITLED, An Act to modernize the process for annual audits of third-  
12 party insurance administrators.

13 **HB 1197:** FOR AN ACT ENTITLED, An Act to require the publication of measures taken to  
14 restrict the access of obscene materials by minors.

15 **HB 1231:** FOR AN ACT ENTITLED, An Act to place restrictions on the ownership of agricultural  
16 land.

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

18 **COMMEMORATIONS**

19 **SC 814:** A LEGISLATIVE COMMEMORATION, Honoring Dale Becker, a member of the  
20 Bridgewater-Emery School District Board of Education, on his years of school board service.

21 **Introduced by: Senator** Schoenfish and **Representatives** Bahmuller and Peterson (Drew).

22 **SC 815:** A LEGISLATIVE COMMEMORATION, Celebrating and honoring Tabor's Czech Days  
23 annual festivities on the occasion of its seventy-fifth anniversary.

24 Introduced by: **Senators** Schoenfish, Deibert, Foster, Schoenbeck, Stalzer, Walsh, Wheeler,  
25 Wiik, and Zikmund and **Representatives** Bahmuller, Bartels, Blare, Duba, Moore, Perry, Peterson  
26 (Drew), Pinnow, Reisch, Shorma, Stevens, Venhuizen, and Weisgram.

27 **SC 816:** A LEGISLATIVE COMMEMORATION, Honoring the late Alexei Navalny for his bravery  
28 in standing in opposition to Vladimir Putin and for his tireless advocacy for democracy in Russia.

29 Introduced by: **Senators** Nesiba, Duhamel, Schoenbeck, Stalzer, and Walsh and  
30 **Representatives** Duba and Weisgram.

31 Sen. Mehlhaff moved that the Senate do now adjourn, which motion prevailed and at 4:38  
32 p.m. the Senate adjourned.

33 Peggy Laurenz, Secretary