

JOURNAL OF THE SENATE

NINETY-NINTH SESSION

THIRTY-FOURTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, March 04, 2024

The Senate convened at 10:00 a.m., pursuant to adjournment, the President presiding.

The prayer was offered by Senator Joshua Klumb, followed by the Pledge of Allegiance led by Senate pages Lance Dannenbring and Liberty Harrington.

Roll Call: All members present except Sens. Diedrich and Foster 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 33rd day.

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

And we hereby move the adoption of the report.

Respectfully submitted,
Lee Schoenbeck, Chair

Which motion prevailed.

1 The oath of office was administered by the President to the following named pages:
2 Lance Dannenbring, Liberty Harrington, Mya Heintzman, Madisyn Raymond, Halle Swenson.
3 Which was subscribed to and placed on file in the office of the Secretary of State.

4 **COMMUNICATIONS AND PETITIONS**

5 The President announced Senators Crabtree (Chair), Wheeler, and Johnson as a committee of
6 three on the part of the Senate to meet with a like committee on the part of the House to adjust
7 the differences between the two houses on **SB 201**.

8 **REPORTS OF STANDING COMMITTEES**

9 MR. PRESIDENT:

10 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
11 Enrolling has carefully compared **SB 1, 47, 49, 198, and 212** and finds the same correctly enrolled.

12 Respectfully submitted,
13 Lee Schoenbeck, Chair

14 MR. PRESIDENT:

15 The Committee on Legislative Procedure respectfully reports that **SB 6, 89, 90, 99, 111, 170,**
16 **171, 190, 203, and 211** were delivered to her Excellency, the Governor, for her approval at 8:19
17 a.m., March 4, 2024.

18 Respectfully submitted,
19 Lee Schoenbeck, Chair

20 MR. PRESIDENT:

21 The Committee on Legislative Procedure respectfully reports that **SJR 501** was delivered to
22 their Excellency, the Secretary of State, for their approval at 3:53 p.m., February 29, 2024.

23 Respectfully submitted,
24 Lee Schoenbeck, Chair

25 **MESSAGES FROM THE HOUSE**

26 MR. PRESIDENT:

27 I have the honor to return herewith **SB 127 and 151** which have been amended by the House
28 and your concurrence in the amendments is respectfully requested.

29 Also MR. PRESIDENT:

30 I have the honor to return herewith **SB 1, 47, 49, 198, and 212** which have passed the House
31 without change.

1 Also MR. PRESIDENT:

2 I have the honor to inform your honorable body that the House has concurred in Senate
3 amendments to **HB 1130, 1178, and 1225.**

4 Sen. Crabtree moved that the Senate do now recess until 11:15 a.m.

5 Which motion prevailed and at 10:15 a.m., the Senate recessed.

6 **RECESS**

7 The Senate reconvened at 11:15 a.m., the President presiding.

8 **MESSAGES FROM THE HOUSE**

9 MR. PRESIDENT:

10 I have the honor to inform your honorable body that the House has concurred in Senate
11 amendments to **HB 1057.**

12 Also MR. PRESIDENT:

13 I have the honor to inform your honorable body that the House has failed to concur in Senate
14 amendments to **HB 1092** and has appointed Representatives Bartels (Chair), Drury, and Fitzgerald
15 as a committee of three on the part of the House to meet with a like committee on the part of the
16 Senate to adjust the differences between the two houses.

17 Respectfully,
18 Patricia Miller, Chief Clerk

19 **MOTIONS AND RESOLUTIONS**

20 Sen. Maher moved that the Senate do concur in House amendments to **SB 208.**

21 The question being on Sen. Maher's motion that the Senate do concur in House amendments
22 to **SB 208.**

23 And the roll being called:

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

25 Yeas: Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Frye-Mueller, Hoffman,
26 Hunhoff, Johnson, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Mehlhaff, Nesiba, Novstrup,
27 Otten (Herman), Pischke, Reed, Rohl, Schoenbeck, Schoenfish, Tobin, Walsh, Wheeler, Wink, and
28 Zikmund

29 Nays: Beal, Klumb, Stalzer, and Wiik

30 Excused: Diedrich and Foster

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

3 Sen. Crabtree moved that **HB 1022, 1048, and 1200** be placed to follow **HB 1213** on today's
4 calendar.

5 Which motion prevailed.

6 **CONSIDERATION OF REPORTS OF COMMITTEES**

7 Sen. Crabtree moved that the reports of the Standing Committees on
8 Education on **HB 1048** as found on page 453 of the Senate Journal; also
9 Commerce and Energy on **HB 1185** as found on page 454 of the Senate Journal; also
10 Commerce and Energy on **HB 1186** as found on page 455 of the Senate Journal; and
11 Judiciary on **HB 1245** as found on page 452 of the Senate Journal be adopted.

12 Which motion prevailed and the reports were adopted.

13 **SECOND READING OF CONSENT CALENDAR ITEMS**

14 **HB 1039:** FOR AN ACT ENTITLED, An Act to provide for the payment of legal expenses
15 originating from crime committed at a facility maintained by the Department of Corrections.

16 **HB 1233:** FOR AN ACT ENTITLED, An Act to amend requirements for a cosmetology
17 apprenticeship.

18 **HB 1245:** FOR AN ACT ENTITLED, An Act to revise provisions related to the custody of an
19 alleged delinquent child before and after a temporary custody hearing.

20 Were read the second time.

21 The question being "Shall **HB 1039 and 1245** pass as amended, and **HB 1233** pass?"

22 And the roll being called:

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

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

28 Excused: Diedrich and Foster

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

1

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

2

HB 1140: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to municipal and county administrative actions and petitions containing illegal actions and to declare an emergency.

3

4

Was read the second time.

5

Sen. Wheeler moved that **HB 1140** be amended as follows:

1140E

6

On page 1, line 1, of the Senate State Affairs Engrossed bill, after "to" delete " municipal and county administrative actions and"

7

8

On page 1, line 4, of the Senate State Affairs Engrossed bill, after "Dakota:" delete "Section 1. That § 12-17B-3 be AMENDED:"

9

10

On page 1, line 5, of the Senate State Affairs Engrossed bill, after "AMENDED:" delete "12-17B-3. "

11

12

On page 1, line 5, of the Senate State Affairs Engrossed bill, after "12-17B-3. " delete "Any governing body having supervision of elections within any political subdivision may adopt, experiment with, or abandon any automatic tabulating or electronic ballot marking system approved for use by the State Board of Elections. Any governing body may use the system in all or some of the precincts within its jurisdiction or in combination with any other type of voting system approved for use by the State Board of Elections. Any determination by a governing body pursuant to this section must be made at the first meeting of the year and shall be considered an administrative action."

13

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Which motion prevailed.

21

The question being "Shall **HB 1140** pass as amended?"

22

And the roll being called:

23

Yeas 27, Nays 6, Excused 2, Absent 0

24

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

25

26

27

Nays: Beal, Frye-Mueller, Kolbeck (Jack), Mehlhaff, Novstrup, and Pischke

28

Excused: Diedrich and Foster

29

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

30

31

HB 1185: FOR AN ACT ENTITLED, An Act to amend provisions regarding entry on private property for examination and survey of a project requiring a siting permit.

32

33

Was read the second time.

34

Sen. Hoffman moved that **HB 1185** be amended as follows:

1 1185F

2 On page 2, line 2, of the Senate Commerce and Energy Engrossed bill, delete " If the project
3 is for construction of a pipeline for the transmission of carbon dioxide, in addition to the foregoing,
4 the person must make a one-time payment to the owner, prior to entry, in the amount of five
5 hundred dollars as compensation for entering the owner's property" and insert " This does not
6 preclude the person from making any additional payments for the time or inconvenience of the
7 owner"

8 On page 2, line 16, of the Senate Commerce and Energy Engrossed bill, delete the comma and
9 insert " or"

10 On page 2, line 16, of the Senate Commerce and Energy Engrossed bill, after "comprehensive"
11 delete ", or invasive"

12 Which motion lost.

13 The question being "Shall **HB 1185** pass as amended?"

14 And the roll being called:

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

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

19 Nays: Bordeaux, Frye-Mueller, Novstrup, and Pischke

20 Excused: Diedrich and Foster

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

23 **HB 1186**: FOR AN ACT ENTITLED, An Act to define the requirements for granting a carbon
24 pipeline easement.

25 Was read the second time.

26 The question being "Shall **HB 1186** pass as amended?"

27 And the roll being called:

28 Yeas 24, Nays 9, Excused 2, Absent 0

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

32 Nays: Bolin, Bordeaux, Frye-Mueller, Hoffman, Novstrup, Otten (Herman), Pischke, Rohl, and
33 Wink

34 Excused: Diedrich and Foster

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

1 **HB 1213:** FOR AN ACT ENTITLED, An Act to create the Dr. Nicholas W. Drummond Center for
2 Civic Engagement at Black Hills State University.

3 Was read the second time.

4 The question being "Shall **HB 1213** pass?"

5 And the roll being called:

6 Yeas 16, Nays 17, Excused 2, Absent 0

7 Yeas: Bordeaux, Breitling, Crabtree, Davis, Deibert, Frye-Mueller, Hoffman, Johnson, Maher,
8 Mehlhaff, Novstrup, Otten (Herman), Pischke, Schoenfish, Walsh, and Wink

9 Nays: Beal, Bolin, Duhamel, Hunhoff, Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Nesiba,
10 Reed, Rohl, Schoenbeck, Stalzer, Tobin, Wheeler, Wiik, and Zikmund

11 Excused: Diedrich and Foster

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

14 There being no objection, the Senate proceeded to Order of Business No. 15 – Announcements.

15 **ANNOUNCEMENTS**

16 The President announced Senators Mehlhaff (Chair), Deibert, and Hoffman as a committee of
17 three on the part of the Senate to meet with a like committee on the part of the House to adjust
18 the differences between the two houses on **HB 1092**.

19 Sen. Crabtree moved that the Senate do now recess until 2:30 p.m.

20 Which motion prevailed, and at 12:15 p.m. the Senate recessed.

21 **RECESS**

22 The Senate reconvened at 2:30 p.m., the President presiding.

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

25 **REPORTS OF STANDING COMMITTEES**

26 MR. PRESIDENT:

27 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
28 Enrolling has carefully compared **SB 45, 83, 124, and 208** and finds the same correctly enrolled.

29 Respectfully submitted,
30 Lee Schoenbeck, Chair

1

MESSAGES FROM THE HOUSE

2 MR. PRESIDENT:

3 I have the honor to inform your honorable body that the House has concurred in Senate
4 amendments to **HB 1057**.

5 Also MR. PRESIDENT:

6 I have the honor to inform your honorable body that **SB 123** was tabled.7
8Respectfully,
Patricia Miller, Chief Clerk

9

MOTIONS AND RESOLUTIONS

10 Sen. Crabtree moved that the Senate do not concur in House amendments to **SB 127** and that
11 a committee of three on the part of the Senate be appointed to meet with a like committee on the
12 part of the House to adjust the differences between the two houses.

13 Which motion prevailed.

14 Sen. Crabtree moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on
15 Tuesday, March 5, 2024, the 35th legislative day.

16 Which motion prevailed.

17

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

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

20 Was read the second time.

21 The question being "Shall **HB 1022** pass as amended?"

22 And the roll being called:

23 Yeas 25, Nays 8, Excused 2, Absent 0

24 Yeas: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Duhamel, Hunhoff, Klumb, Larson,
25 Maher, Mehlhaff, Nesiba, Novstrup, Otten (Herman), Reed, Rohl, Schoenbeck, Schoenfish, Stalzer,
26 Tobin, Walsh, Wheeler, Wiik, and Zikmund

27 Nays: Deibert, Frye-Mueller, Hoffman, Johnson, Kolbeck (Jack), Kolbeck (Steve), Pischke, and
28 Wink

29 Excused: Diedrich and Foster

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

1 **HB 1048:** FOR AN ACT ENTITLED, An Act to revise the requirements pertaining to average
2 teacher compensation and to establish a minimum teacher salary.

3 Was read the second time.

4 Sen. Schoenfish moved that **HB 1048** be laid on the table.

5 The question being on Sen. Schoenfish's motion that **HB 1048** be laid on the table.

6 And the roll being called:

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

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

12 Nays: Beal, Hoffman, and Wiik

13 Excused: Diedrich and Foster

14 So the motion having received an affirmative vote of a majority of the members-elect, the
15 President declared the motion carried and **HB 1048** was tabled.

16 **HB 1200:** FOR AN ACT ENTITLED, An Act to increase the minimum fee required with an
17 application for construction of an energy conversion and transmission facility.

18 Was read the second time.

19 The question being "Shall **HB 1200** pass as amended?"

20 And the roll being called:

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

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

26 Nays: Bordeaux and Nesiba

27 Excused: Diedrich and Foster

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

30 **HB 1240:** FOR AN ACT ENTITLED, An Act to permit a homeowner's association, development,
31 or incorporated community to modify a restrictive covenant.

32 Was read the second time.

33 The question being "Shall **HB 1240** pass?"

34 And the roll being called:

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

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

5 Nays: Bordeaux, Frye-Mueller, Larson, Nesiba, Otten (Herman), and Wheeler

6 Excused: Diedrich and Foster

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 **HB 1244:** FOR AN ACT ENTITLED, An Act to provide a process to withdraw a signature from a
10 petition for an initiated measure, constitutional amendment, or a referendum on a law in certain
11 situations and to declare an emergency.

12 Was read the second time.

13 Sen. Nesiba moved that **HB 1244** be amended as follows:

14 1244H

15 On page 1, line 3, of the Senate State Affairs Engrossed bill, after "situations" delete " and to
16 declare an emergency"

17 On page 2, line 6, of the Senate State Affairs Engrossed bill, after "challenge." delete "Section
18 3. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or
19 safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from
20 and after its passage and approval."

21 Which motion lost.

22 The question being "Shall **HB 1244** pass as amended?"

23 And the roll being called:

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

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

28 Nays: Bordeaux, Larson, Nesiba, Reed, and Schoenfish

29 Excused: Diedrich and Foster

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

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

34 Was read the second time.

35 Sen. Kolbeck (Steve) moved that **HB 1093** be amended as follows:

1 1093E

2 On page 1, line 4, of the House Engrossed bill, delete " \$8,000,000" and insert " \$6,000,000"

3 Which motion prevailed.

4 The question being "Shall **HB 1093** pass as amended?"

5 And the roll being called:

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

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

11 Nays: Bolin and Deibert

12 Excused: Diedrich and Foster

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

15 There being no objection, the Senate reverted to Order of Business No. 8 - Motions and
16 Resolutions.

17 **MOTIONS AND RESOLUTIONS**

18 Sen. Mehlhaff moved that the Committee on Judiciary be instructed to deliver **HB 1257** to the
19 floor of the Senate, pursuant to JR 7-7.

20 Which motion was supported and the committee was so instructed.

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

23 **REPORTS OF STANDING COMMITTEES**

24 MR. PRESIDENT:

25 The Committee on Senate Judiciary respectfully reports that it has had under consideration
26 **HB 1257** and returns the same without recommendation.

27
28

Respectfully submitted,
Helene Duhamel, Chair

1

MOTIONS AND RESOLUTIONS

2

Sen. Mehlhaff moved that **HB 1257** be placed on the calendar of Monday, March 4, 2024, the 34th legislative day, and be immediately considered pursuant to JR 6F-6.

3

4

The question being on Sen. Mehlhaff's motion that **HB 1257** be placed on the calendar of Monday, March 4, 2024, the 34th legislative day, and be immediately considered pursuant to JR 6F-6.

5

6

7

And the roll being called:

8

Yeas 33, Nays 0, Excused 2, Absent 0

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12

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

13

Excused: Diedrich and Foster

14

15

So the motion having received an affirmative vote of a majority of the members-elect, the President declared the motion prevailed and **HB 1257** was so placed.

16

17

HB 1257: FOR AN ACT ENTITLED, An Act to require age verification by websites containing material harmful to minors.

18

Was read the second time.

19

Sen. Mehlhaff moved that **HB 1257** be amended as follows:

20

1257C

21

22

23

24

25

On page 3, line 33, of the House Judiciary Engrossed bill, after "material." delete " Any parent, guardian, or custodian of a minor may bring a civil action against a covered platform for violating this section and shall recover damages in the amount of five thousand dollars for each separate instance that the covered platform fails to perform reasonable age verification, actual damages resulting from a minor accessing the material, court costs, and reasonable attorney fees."

26

Which motion prevailed.

27

Sen. Schoenbeck moved that **HB 1257** be amended as follows:

28

1257D

29

30

31

On page 1, line 1, of the House Judiciary Engrossed bill, delete " age verification by websites containing material harmful to minors" and insert " the Executive Board of the Legislative Research Council to establish an interim study committee on minors' access to pornographic material"

32

On the House Judiciary Engrossed bill, delete everything after the enacting clause and insert:"

33

34

35

Section 1. The Executive Board of the Legislative Research Council shall establish an interim study committee to assess the ability and opportunity to regulate by law minors' access to internet content that contains pornographic material."

36

Which motion prevailed.

1 The question being "Shall **HB 1257** pass as amended?"

2 And the roll being called:

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

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

8 Nays: Kolbeck (Jack)

9 Excused: Diedrich and Foster

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

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

13 **HB 1141:** FOR AN ACT ENTITLED, An Act to improve public safety in South Dakota.

14 Was read the second time.

15 Sen. Crabtree moved that **HB 1141** be laid on the table.

16 The question being on Sen. Crabtree's motion that **HB 1141** be laid on the table.

17 And the roll being called:

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

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

23 Excused: Diedrich and Foster

24 So the motion having received an affirmative vote of a majority of the members-elect, the
25 President declared the motion carried and **HB 1141** was tabled.

26 **HB 1142:** FOR AN ACT ENTITLED, An Act to improve public safety in South Dakota.

27 Was read the second time.

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

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

30 And the roll being called:

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

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

5 Excused: Diedrich and Foster

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

8 **HB 1143**: FOR AN ACT ENTITLED, An Act to improve agriculture in South Dakota.

9 Was read the second time.

10 Sen. Crabtree moved that **HB 1143** be laid on the table.

11 The question being on Sen. Crabtree's motion that **HB 1143** be laid on the table.

12 And the roll being called:

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

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

18 Excused: Diedrich and Foster

19 So the motion having received an affirmative vote of a majority of the members-elect, the
20 President declared the motion carried and **HB 1143** was tabled.

21 **HB 1156**: FOR AN ACT ENTITLED, An Act to make an appropriation to enhance the economic
22 health of South Dakota.

23 Was read the second time.

24 Sen. Hunhoff moved that **HB 1156** be laid on the table.

25 The question being on Sen. Hunhoff's motion that **HB 1156** be laid on the table.

26 And the roll being called:

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

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

32 Excused: Diedrich and Foster

33 So the motion having received an affirmative vote of a majority of the members-elect, the
34 President declared the motion carried and **HB 1156** was tabled.

1 **HB 1157:** FOR AN ACT ENTITLED, An Act to make an appropriation for the economic
2 development of South Dakota.

3 Was read the second time.

4 Sen. Hunhoff moved that **HB 1157** be amended as follows:

5 1157A

6 On page 1, line 3, of the Introduced bill, delete "\$1" and insert "\$2"

7 Which motion prevailed.

8 The question being "Shall **HB 1157** pass as amended?"

9 And the roll being called:

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

11 Yeas: Beal, Bolin, Bordeaux, Breitling, Crabtree, Davis, Deibert, Duhamel, Hunhoff, Johnson,
12 Klumb, Kolbeck (Jack), Kolbeck (Steve), Larson, Maher, Nesiba, Novstrup, Otten (Herman), Reed,
13 Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Walsh, Wheeler, Wiik, Wink, and Zikmund

14 Nays: Frye-Mueller, Hoffman, Mehlhaff, and Pischke

15 Excused: Diedrich and Foster

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

18 **SIGNING OF BILLS**

19 The President publicly read the title to

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

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

24 **SB 124:** FOR AN ACT ENTITLED, An Act to revise the eligibility of roads for the rural access
25 infrastructure fund.

26 **SB 208:** FOR AN ACT ENTITLED, An Act to establish reporting requirements for future fund
27 awards or grants and to make technical changes.

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

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

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

