

# *JOURNAL OF THE SENATE*

## *ONE HUNDREDTH SESSION*

---

FIFTEENTH DAY

---

STATE OF SOUTH DAKOTA  
Senate Chamber, Pierre  
Wednesday, February 05, 2025

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

The prayer was offered by the Chaplain, Fr. Joe Holzhauser, followed by the Pledge of Allegiance led by Senate page Sakurako Tinant.

Roll Call: All members present except Sens. Smith and Zikmund 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 14th 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,  
Chris Karr, Chair

Which motion prevailed.

1

**COMMUNICATIONS AND PETITIONS**

2

January 31, 2025

3

The Honorable Tonnis H. Venhuizen

4

President of the Senate

5

State Capitol

6

Pierre, SD 57501

7

Dear President and Members of the Senate:

8

Pursuant to the provisions of Article IV, Section 9, of the Constitution, Governor Kristi Noem

9

appointed Josef L. Fiala, Hand County, Miller, SD, to the position of Commissioner of the Governor's

10

Office of Economic Development subject to your consent. This appointment was effective August

11

21, 2024. As the current Governor of South Dakota, I am supportive of this selection and ask for

12

your consideration to confirm Josef L. Fiala as Commissioner of the Governor's Office of Economic

13

Development.

14

Sincerely,

15

Larry Rhoden

16

Governor

17

The President announced the referral of the appointment to the Committee on Commerce and

18

Energy.

19

January 31, 2025

20

The Honorable Tonnis H. Venhuizen

21

President of the Senate

22

State Capitol

23

Pierre, SD 57501

24

Dear President and Members of the Senate:

25

Pursuant to the provisions of Chapter 1-16G of the South Dakota Codified Laws, Governor

26

Kristi Noem appointed Reed Kessler, Brown County, Aberdeen, SD, to the Board of Economic

27

Development subject to your consent. This appointment was effective on April 24, 2024 and shall

28

continue until April 19, 2028. As the current Governor of South Dakota, I am supportive of this

29

selection and ask for your consideration to confirm Reed Kessler to the Board of Economic

30

Development.

31

Sincerely,

32

Larry Rhoden

33

Governor

34

The President announced the referral of the appointment to the Committee on Commerce and

35

Energy.

1 January 31, 2025

2 The Honorable Tonnis H. Venhuizen  
3 President of the Senate  
4 State Capitol  
5 Pierre, SD 57501

6 Dear President and Members of the Senate:

7 Pursuant to the provisions of Chapter 1-16G of the South Dakota Codified Laws, Governor  
8 Kristi Noem appointed Sharon Casey, Brule County, Chamberlain, SD, to the Board of Economic  
9 Development subject to your consent. This appointment was effective on April 20, 2024 and shall  
10 continue until April 19, 2028. As the current Governor of South Dakota, I am supportive of this  
11 selection and ask for your consideration to confirm Sharon Casey to the Board of Economic  
12 Development.

13 Sincerely,  
14 Larry Rhoden  
15 Governor

16 The President announced the referral of the appointment to the Committee on Commerce and  
17 Energy.

18 January 31, 2025

19 The Honorable Tonnis H. Venhuizen  
20 President of the Senate  
21 State Capitol  
22 Pierre, SD 57501

23 Dear President and Members of the Senate:

24 Pursuant to the provisions of Chapter 1-16G of the South Dakota Codified Laws, Governor  
25 Kristi Noem appointed Thomas Jones, Lincoln County, Sioux Falls, SD, to the Board of Economic  
26 Development subject to your consent. This appointment was effective on April 20, 2024 and shall  
27 continue until April 19, 2028. As the current Governor of South Dakota, I am supportive of this  
28 selection and ask for your consideration to confirm Thomas Jones to the Board of Economic  
29 Development.

30 Sincerely,  
31 Larry Rhoden  
32 Governor

33 The President announced the referral of the appointment to the Committee on Commerce and  
34 Energy.

1 January 31, 2025

2 The Honorable Tonnis H. Venhuizen  
3 President of the Senate  
4 State Capitol  
5 Pierre, SD 57501

6 Dear President and Members of the Senate:

7 Pursuant to the provisions of Chapter 1-16H of the South Dakota Codified Laws, Governor  
8 Kristi Noem appointed Patricia Lebrun, Pennington County, Rapid City, SD, to the South Dakota  
9 Science and Technology Authority subject to your consent. This appointment was effective on March  
10 25, 2024 and shall continue until August 8, 2028. As the current Governor of South Dakota, I am  
11 supportive of this selection and ask for your consideration to confirm Patricia Lebrun to the South  
12 Dakota Science and Technology Authority.

13 Sincerely,  
14 Larry Rhoden  
15 Governor

16 The President announced the referral of the appointment to the Committee on Commerce and  
17 Energy.

18 January 31, 2025

19 The Honorable Tonnis H. Venhuizen  
20 President of the Senate  
21 State Capitol  
22 Pierre, SD 57501

23 Dear President and Members of the Senate:

24 Pursuant to the provisions of Chapter 1-16H of the South Dakota Codified Laws, Governor  
25 Kristi Noem appointed Roger Musick, Davison County, Mitchell, SD, to the South Dakota Science  
26 and Technology Authority subject to your consent. This appointment was effective on  
27 March 25, 2024 and shall continue until August 8, 2028. As the current Governor of South Dakota,  
28 I am supportive of this selection and ask for your consideration to confirm Roger Musick to the South  
29 Dakota Science and Technology Authority.

30 Sincerely,  
31 Larry Rhoden  
32 Governor

33 The President announced the referral of the appointment to the Committee on Commerce and  
34 Energy.

1 January 31, 2025

---

2 The Honorable Tonnis H. Venhuizen  
3 President of the Senate  
4 State Capitol  
5 Pierre, SD 57501

6 Dear President and Members of the Senate:

7 Pursuant to the provisions of Chapter 40-18 of the South Dakota Codified Laws, Governor Kristi  
8 Noem appointed Scott Vance, Meade County, Faith, SD, to the State Brand Board subject to your  
9 consent. This appointment was effective on March 24, 2024 and shall continue until  
10 January 5, 2026. As the current Governor of South Dakota, I am supportive of this selection and  
11 ask for your consideration to confirm Scott Vance to the State Brand Board.

12 Sincerely,  
13 Larry Rhoden  
14 Governor

15 The President announced the referral of the appointment to the Committee on Agriculture and  
16 Natural Resources.

17 January 31, 2025

18 The Honorable Tonnis H. Venhuizen  
19 President of the Senate  
20 State Capitol  
21 Pierre, SD 57501

22 Dear President and Members of the Senate:

23 Pursuant to the provisions of Chapter 40-18 of the South Dakota Codified Laws, Governor Kristi  
24 Noem appointed Jesse Longbrake, Ziebach County, Dupree, SD, to the State Brand Board subject  
25 to your consent. This appointment was effective on March 20, 2024 and shall continue until  
26 January 4, 2027. As the current Governor of South Dakota, I am supportive of this selection and  
27 ask for your consideration to confirm Jesse Longbrake to the State Brand Board.

28 Sincerely,  
29 Larry Rhoden  
30 Governor

31 The President announced the referral of the appointment to the Committee on Agriculture and  
32 Natural Resources.

1 January 31, 2025

2 The Honorable Tonnis H. Venhuizen  
 3 President of the Senate  
 4 State Capitol  
 5 Pierre, SD 57501

6 Dear President and Members of the Senate:

7 Pursuant to the provisions of Article IV, Section 9 of the Constitution, Governor Kristi Noem  
 8 appointed Cory Kestel, Lincoln County, Harrisburg, SD, to the position of Assistant Adjutant General,  
 9 Air subject to your consent. This appointment was effective on October 1, 2024. As the current  
 10 Governor of South Dakota, I am supportive of this selection and ask for your consideration to confirm  
 11 Cory Kestel to the position of Assistant Adjutant General, Air.

12 Sincerely,  
 13 Larry Rhoden  
 14 Governor

15 The President announced the referral of the appointment to the Committee on Military and  
 16 Veterans Affairs.

17 **REPORTS OF STANDING COMMITTEES**

18 MR. PRESIDENT:

19 The Committee on Senate Health and Human Services respectfully reports that it has had  
 20 under consideration **SB 86** with the recommendation that said bill be referred to the Senate  
 21 Committee on Appropriations with a Do Pass recommendation.

22 Also MR. PRESIDENT:

23 The Committee on Senate Health and Human Services respectfully reports that it has had  
 24 under consideration **HB 1014** and returns the same with the recommendation that said bill do pass.

25 Respectfully submitted,  
 26 Kevin D. Jensen, Chair

27 MR. PRESIDENT:

28 The Committee on Senate Transportation respectfully reports that it has had under  
 29 consideration **SB 95** with the recommendation that said bill be amended as follows:

30 95A

31 On page 1, line 24, of the Introduced bill, delete " 2028" and insert " 2030"

32 And that as so amended said bill be referred to the Joint Committee on Appropriations with a  
 33 Do Pass recommendation.

1 Also MR. PRESIDENT:

2 The Committee on Senate Transportation respectfully reports that it has had under  
3 consideration **SB 107** and returns the same with the recommendation that said bill do pass.

4 Also MR. PRESIDENT:

5 The Committee on Senate Transportation respectfully reports that it has had under  
6 consideration **SB 135** and returns the same with the recommendation that said bill be amended as  
7 follows:

8 135A

9 On page 1, line 7, of the Introduced bill, after "§ 32-3-18. " insert "For the purposes of this  
10 section, a physical address does not include a post office mailbox or a mail forwarding address. "

11 On page 1, line 8, of the Introduced bill, after "transactions" delete " or"

12 On page 1, line 8, of the Introduced bill, remove the overstrikes from " or"

13 On page 1, line 8, of the Introduced bill, after "transactions," delete " or"

14 On page 1, line 9, of the Introduced bill, after "loss" insert ", a manufacturer taking title due  
15 to a manufacturer buy back, or a lienholder taking title due to a repossession"

16 And that as so amended, **SB 135** do pass, and having been certified as uncontested, be placed  
17 on the consent calendar.

18 Respectfully submitted,  
19 Randy Deibert, Chair

20 MR. PRESIDENT:

21 The Joint Committee on Appropriations respectfully reports that it has had under consideration  
22 **SB 54** with the recommendation that said bill be referred to the Senate Committee on  
23 Appropriations.

24 Also MR. PRESIDENT:

25 The Joint Committee on Appropriations respectfully reports that it has had under consideration  
26 **SB 28** with the recommendation that said bill be referred to the Senate Committee on  
27 Appropriations.

28 Respectfully submitted,  
29 Ernie Otten, Co-Chair

Respectfully submitted,  
Mike Derby, Co-Chair

30 MR. PRESIDENT:

31 The Committee on Senate State Affairs respectfully reports that it has had under consideration  
32 **SB 6** with the recommendation that said bill be referred to the Joint Committee on Appropriations  
33 without recommendation.

1 Also MR. PRESIDENT:

2 The Committee on Senate State Affairs respectfully reports that it has had under consideration  
 3 **SB 16** with the recommendation that said bill be referred to the Joint Committee on Appropriations  
 4 without recommendation.

5 Also MR. PRESIDENT:

6 The Committee on Senate State Affairs respectfully reports that it has had under consideration  
 7 **SB 56** with the recommendation that said bill be referred to the Joint Committee on Appropriations  
 8 without recommendation.

9 Also MR. PRESIDENT:

10 The Committee on Senate State Affairs respectfully reports that it has had under consideration  
 11 **SB 105** which was tabled.

12 Also MR. PRESIDENT:

13 The Committee on Senate State Affairs respectfully reports that it has had under consideration  
 14 **SB 106** and returns the same with the recommendation that said bill do pass, and having been  
 15 certified as uncontested, be placed on the consent calendar.

16 Respectfully submitted,  
 17 Jim Mehlhaff, Chair

18 MR. PRESIDENT:

19 The Committee on Senate Local Government respectfully reports that it has had under  
 20 consideration **SB 97** and returns the same with the recommendation that said bill do pass, and  
 21 having been certified as uncontested, be placed on the consent calendar.

22 Also MR. PRESIDENT:

23 The Committee on Senate Local Government respectfully reports that it has had under  
 24 consideration **SB 104** with the recommendation that said bill be amended as follows:

25 104C

26 On amendment (104B),

27 On page 1, line 12, after "records." delete " The cast vote record and any ballot images  
 28 collected by the automatic tabulating equipment must be published on each county's website for  
 29 each primary and general election, no later than five p. m. local time, on the day following the  
 30 election."

31 And that as so amended said bill be referred to the Joint Committee on Appropriations with a  
 32 Do Pass as Amended recommendation.

33 Also MR. PRESIDENT:

34 The Committee on Senate Local Government respectfully reports that it has had under  
 35 consideration **SB 128** and returns the same with the recommendation that said bill be amended as  
 36 follows:



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

128A

On page 1, line 10, of the Introduced bill, delete " The newspaper must meet the requirements established pursuant to chapter 17-2." and insert "

The newspaper must be published in the municipality. If no newspaper is published in the municipality, the municipality shall comply with the requirements provided in § 17-2-11."

And that as so amended, **SB 128** do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,  
Tim S. Reed, Chair

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **SB 17** and finds the same correctly enrolled.

Also MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that **SB 5, 10, 30, and 36** were delivered to his Excellency, the Governor, for his approval at 12:28 p.m., February 5, 2025.

Respectfully submitted,  
Chris Karr, Chair

**MESSAGES FROM THE HOUSE**

MR. PRESIDENT:

I have the honor to return herewith **SB 17** which has passed the House without change.

Also MR. PRESIDENT:

I have the honor to transmit herewith **HB 1047, 1061, 1094, and 1100** which have passed the House and your favorable consideration is respectfully requested.

Also MR. PRESIDENT:

I have the honor to transmit herewith **HCR 6005** which has been adopted by the House and your concurrence is respectfully requested.

Also MR. PRESIDENT:

I have the honor to inform your honorable body that **SJR 502** was lost on second reading and final passage.

Respectfully,  
Patricia Miller, Chief Clerk

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

**MOTIONS AND RESOLUTIONS**

Sen. Karr moved that **SB 168** be referred from the Committee on Education to the Committee on Judiciary.

Which motion prevailed.

**CONSIDERATION OF REPORTS OF COMMITTEES**

Sen. Mehlhaff moved that the reports of the Standing Committees on Judiciary on **SB 8** as found on page 161 of the Senate Journal; also Judiciary on **SB 83** as found on page 161 of the Senate Journal; and Education on **SB 109** as found on page 160 of the Senate Journal be adopted.

Which motion prevailed and the reports were adopted.

**FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

**SB 195:** FOR AN ACT ENTITLED, An Act to make an appropriation for grants to support public transit.

Introduced by: **Senator** Deibert

**SB 196:** FOR AN ACT ENTITLED, An Act to to require the display and curricular inclusion of the Woope Sakowin in public schools.

Introduced by: **Senator** Grove

**SB 197:** FOR AN ACT ENTITLED, An Act to enhance education in South Dakota.

Introduced by: **Senator** Larson

**SB 198:** FOR AN ACT ENTITLED, An Act to enhance environmental conservation in South Dakota.

Introduced by: **Senator** Larson

**SB 199:** FOR AN ACT ENTITLED, An Act to support the betterment of South Dakota.

Introduced by: **Senator** Larson

**SB 200:** FOR AN ACT ENTITLED, An Act to provide for the sale of vintage distilled spirits to certain on-sale licensees.

Introduced by: **Senator** Reed

**SB 201:** FOR AN ACT ENTITLED, An Act to prohibit contributions and loans from an authorized committee of a candidate for federal office.

Introduced by: **Senator** Pischke

1 **SB 202:** FOR AN ACT ENTITLED, An Act to create the water infrastructure development fund.

2 Introduced by: **Senator** Duhamel

3 **SB 203:** FOR AN ACT ENTITLED, An Act to increase the minimum age to purchase a lottery  
4 ticket.

5 Introduced by: **Senator** Rohl

6 **SB 204:** FOR AN ACT ENTITLED, An Act to prohibit the expenditure of certain funds  
7 appropriated for purposes related to the construction of a prison facility.

8 Introduced by: **Senator** Jensen (Kevin)

9 **SB 205:** FOR AN ACT ENTITLED, An Act to increase the limit on the number of video lottery  
10 machines in a licensed establishment.

11 Introduced by: **Senator** Schoenfish

12 **SB 206:** FOR AN ACT ENTITLED, An Act to increase the dollar limit for playing video lottery.

13 Introduced by: **Senator** Schoenfish

14 **SB 207:** FOR AN ACT ENTITLED, An Act to freeze property tax revenues and assessments for  
15 two years.

16 Introduced by: **Senator** Peterson (Sue)

17 **SB 208:** FOR AN ACT ENTITLED, An Act to amend provisions pertaining to a school district's  
18 proposed opt out, capital outlay certificate, or other agreement.

19 Introduced by: **Senator** Peterson (Sue)

20 **SB 209:** FOR AN ACT ENTITLED, An Act to modify aircraft registration fees and to provide a  
21 penalty therefor.

22 Introduced by: **Senator** Hohn

23 **SB 210:** FOR AN ACT ENTITLED, An Act to clarify the Interim Rules Review Committee's  
24 oversight of emergency rulemaking.

25 Introduced by: **Senator** Peterson (Sue)

26 **SB 211:** FOR AN ACT ENTITLED, An Act to revise and clarify notice and hearing procedures of  
27 the Public Utilities Commission.

28 Introduced by: **Senator** Hohn

29 **SB 212:** FOR AN ACT ENTITLED, An Act to require that pipeline applicants acquire county  
30 permits prior to submission of a permit application to the Public Utilities Commission.

31 Introduced by: **Senator** Hohn

32 **SB 213:** FOR AN ACT ENTITLED, An Act to exempt any food grown, raised, or otherwise  
33 produced in this state from state sales tax.

34 Introduced by: **Senator** Foster

- 1        **SB 214:** FOR AN ACT ENTITLED, An Act to repeal the expiration of a reduction in certain gross  
2 receipts and use tax rates.
- 3        Introduced by: **Senator** Karr
- 4        **SB 215:** FOR AN ACT ENTITLED, An Act to remove the prohibition against a landowner having  
5 an easement on the landowner's property.
- 6        Introduced by: **Senator** Deibert
- 7        **SB 216:** FOR AN ACT ENTITLED, An Act to reduce the growth in the assessed value of owner-  
8 occupied property tax assessments.
- 9        Introduced by: The Committee on State Affairs at the request of the Governor
- 10       **SB 217:** FOR AN ACT ENTITLED, An Act to prohibit the use of automatic tabulating equipment.
- 11       Introduced by: **Senator** Carley
- 12       **SB 218:** FOR AN ACT ENTITLED, An Act to revise provisions associated with residency for  
13 voting purposes.
- 14       Introduced by: **Senator** Carley
- 15       **SB 219:** FOR AN ACT ENTITLED, An Act to require the acceptance of a cash payment for  
16 admission to a school-affiliated event.
- 17       Introduced by: **Senator** Blanc
- 18       **SJR 507:** A JOINT RESOLUTION, Proposing and submitting to the voters at the next general  
19 election an amendment to the Constitution of the State of South Dakota, providing for wagering on  
20 sporting events via mobile or electronic platform.
- 21       Introduced by: **Senator** Kolbeck
- 22       **SCR 605:** A CONCURRENT RESOLUTION, Promoting a resilient and healthy Black Hills forest  
23 through active forest management and retention of the current forest products industry.
- 24       Introduced by: **Senator** Deibert
- 25       **SCR 606:** A CONCURRENT RESOLUTION, Expressing the Legislature's concern about the  
26 potential for a carbon oxide pipeline to become a weapon of mass destruction to be used by terrorists  
27 or unfriendly governments and urging the Public Utilities Commission to conduct risk assessments  
28 and establish stronger regulatory and security measures for carbon oxide pipelines to ensure  
29 adequate state, county, business, and family emergency response planning.
- 30       Introduced by: **Senator** Nelson
- 31       **SCR 607:** A CONCURRENT RESOLUTION, Encouraging the Legislature to continue using  
32 person-first language that acknowledges the person before any disability.
- 33       Introduced by: **Senator** Crabtree
- 34       **SCR 608:** A CONCURRENT RESOLUTION, To provide for an interim study to examine the South  
35 Dakota criminal justice system with a focus on substance abuse, mental health issues, and  
36 corrections.
- 37       Introduced by: **Senator** Foster

1 **SR 702:** A RESOLUTION, Supporting the repeal of the Sioux-Dakota Removal Act.

2 Introduced by: **Senator** Grove

3 Were read the first time.

4 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

5 **HB 1047:** FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse health care  
6 professionals who have complied with the requirements for rural recruitment assistance programs,  
7 and to declare an emergency.

8 **HB 1061:** FOR AN ACT ENTITLED, An Act to prohibit a health care provider from restricting or  
9 denying a parent or guardian's access to certain medical records and other health information of a  
10 minor.

11 **HB 1094:** FOR AN ACT ENTITLED, An Act to modify laws regarding school bus safety and to  
12 provide a penalty therefor.

13 **HB 1100:** FOR AN ACT ENTITLED, An Act to clarify which opinions must be included in the  
14 annual judicial opinions report prepared by the Legislative Research Council.

15 **HCR 6005:** A CONCURRENT RESOLUTION, Encouraging the board of each school district in  
16 this state to develop and implement a policy that limits the use of cellular telephones and other  
17 electronic communication devices during instructional time.

18 Were read the first time.

19 **SECOND READING OF CONSENT CALENDAR ITEMS**

20 The Senate proceeded to the consideration of the executive reappointment of Myron L. Rau,  
21 to the Board of Pardons and Paroles (SJ 106).

22 The question being "Does the Senate advise and consent to the executive reappointment of  
23 Myron L. Rau?"

24 And the roll being called:

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

26 Yeas: Beal, Blanc, Carley, Crabtree, Davis, Deibert, Duhamel, Foster, Grove, Hohn, Howard,  
27 Hulse, Jensen (Kevin), Karr, Kolbeck, Lapka, Larson, Marty, Mehlhaff, Miskimins, Nelson, Otten,  
28 Perry, Peterson (Sue), Pischke, Reed, Rohl, Sauder, Schoenfish, Vilhauer, Voight, Voita, and Wheeler

29 Excused: Smith and Zikmund

30 So the question having received an affirmative vote of a majority of the members-elect, the  
31 President declared the reappointment confirmed.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

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

**SB 50:** FOR AN ACT ENTITLED, An Act to prohibit the use of drones for purposes of assessing real property for taxation, and to provide a penalty therefor.

Was read the second time.

The question being "Shall **SB 50** pass?"

And the roll being called:

Yeas 17, Nays 16, Excused 2, Absent 0

Yeas: Beal, Blanc, Carley, Foster, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr, Lapka, Marty, Nelson, Peterson (Sue), Pischke, Voight, and Voita

Nays: Crabtree, Davis, Deibert, Duhamel, Kolbeck, Larson, Mehlhaff, Miskimins, Otten, Perry, Reed, Rohl, Sauder, Schoenfish, Vilhauer, and Wheeler

Excused: Smith and Zikmund

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

Sen. Carley announced his intention to reconsider the vote by which **SB 50** lost.

**SB 60:** FOR AN ACT ENTITLED, An Act to expand the access and investigatory authority of the state auditor.

Was read the second time.

Sen. Kolbeck moved that **SB 60** be amended as follows:

60D

On page 1, line 4, of the Senate State Affairs Engrossed bill, after "auditor" insert " shall employ a qualified individual with experience in accounting and auditing to monitor the state accounting system. The state auditor"

On page 1, line 4, of the Senate State Affairs Engrossed bill, after "all" insert " digital and onsite"

On page 1, line 5, of the Senate State Affairs Engrossed bill, after "vouchers" insert the comma

On page 1, line 5, of the Senate State Affairs Engrossed bill, delete " as necessary for purposes of conducting an audit, investigating" and insert " pertaining to financial receipt and expenditure transactions of the state, in accordance with § 4-4-3 and chapter 4-9, pertaining to"

On page 1, line 6, of the Senate State Affairs Engrossed bill, after "and " insert "for the purpose of "

On page 1, line 6, of the Senate State Affairs Engrossed bill, after "internal" insert " financial"

On page 1, line 7, of the Senate State Affairs Engrossed bill, after "maintained." insert "

1 The state auditor shall report any improper government conduct, fraud, misappropriation, or  
2 misfeasance to the auditor general and the attorney general.

3 For purposes of this section, access does not include the ability to alter any digital or onsite  
4 account, book, record, report, or voucher."

5 On page 1, line 8, of the Senate State Affairs Engrossed bill, delete " Act" and insert " section"

6 On page 1, line 13, of the Senate State Affairs Engrossed bill, after "§ 1-25-12." delete "For  
7 purposes of this section, "improper governmental conduct" means fraud, misappropriation, or  
8 misfeasance."

9 On page 1, line 15, of the Senate State Affairs Engrossed bill, after "misfeasance." delete  
10 "Section 2. That a NEW SECTION be added to chapter 1-9:

11 "

12 On page 1, line 16, of the Senate State Affairs Engrossed bill, after "1-9:" delete "Any agency  
13 contract must include a clause describing the state auditor's access, as provided in section 1 of this  
14 Act."

15 On page 2, line 3, of the Senate State Affairs Engrossed bill, delete "Section 4." and insert a  
16 space

17 On page 2, line 3, of the Senate State Affairs Engrossed bill, after "4." delete " That § 4-7-18  
18 be AMENDED:

19 "

20 On page 2, line 4, of the Senate State Affairs Engrossed bill, after "AMENDED:" delete "4-7-  
21 18. "

22 On page 2, line 4, of the Senate State Affairs Engrossed bill, after "4-7-18. " delete "The Bureau  
23 of Finance and Management, at the direction and under the control of the Governor, in consultation  
24 with the state auditor and state treasurer, and subject to the provisions of this chapter, shall  
25 coordinate the fiscal affairs and procedures of the state to assure the carrying out of the financial  
26 plans and policies approved by the Legislature, including the administration of a system of  
27 expenditure control."

28 Sen. Pischke requested a roll call vote.

29 And the roll being called:

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

31 Yeas: Crabtree, Davis, Deibert, Duhamel, Kolbeck, Larson, Mehlhaff, Miskimins, Otten, Perry,  
32 Reed, Rohl, Sauder, Schoenfish, Vilhauer, and Wheeler

33 Nays: Beal, Blanc, Carley, Foster, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr, Lapka,  
34 Marty, Nelson, Peterson (Sue), Pischke, Voight, and Voita

35 Excused: Smith and Zikmund

36 So the motion not having received an affirmative vote of a majority of the members-present,  
37 the President declared the motion lost.

1 The question being "Shall **SB 60** pass as amended?"

2 And the roll being called:

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

4 Yeas: Beal, Blanc, Carley, Foster, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr, Lapka,  
5 Marty, Nelson, Peterson (Sue), Pischke, and Voita

6 Nays: Crabtree, Davis, Deibert, Duhamel, Kolbeck, Larson, Mehlhaff, Miskimins, Otten, Perry,  
7 Reed, Rohl, Sauder, Schoenfish, Vilhauer, Voight, and Wheeler

8 Excused: Smith and Zikmund

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

11 Sen. Peterson (Sue) announced her intention to reconsider the vote by which **SB 60** lost.

12 **SB 61**: FOR AN ACT ENTITLED, An Act to modify the authority of the Board of Internal Controls.

13 Was read the second time.

14 The question being "Shall **SB 61** pass as amended?"

15 And the roll being called:

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

17 Yeas: Beal, Blanc, Carley, Crabtree, Davis, Deibert, Duhamel, Foster, Grove, Hohn, Howard,  
18 Hulse, Jensen (Kevin), Karr, Kolbeck, Lapka, Larson, Marty, Mehlhaff, Miskimins, Nelson, Otten,  
19 Perry, Peterson (Sue), Pischke, Reed, Rohl, Sauder, Schoenfish, Vilhauer, Voita, and Wheeler

20 Nays: Voight

21 Excused: Smith and Zikmund

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 **SIGNING OF BILLS**

25 The President publicly read the title to

26 **SB 17**: FOR AN ACT ENTITLED, An Act to clarify when a political committee must file certain  
27 campaign finance disclosure statements.

28 **HB 1011**: FOR AN ACT ENTITLED, An Act to revise provisions related to the stenographic  
29 recording of certain proceedings.

30 **HB 1022**: FOR AN ACT ENTITLED, An Act to prohibit the misbranding of any cell-cultured  
31 protein product.





