

JOURNAL OF THE SENATE

ONE HUNDREDTH SESSION

TWENTY-SIXTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, February 24, 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 Leah Aderhold.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the 25th 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 The oath of office was administered by the President to the following named pages:

2 Leah Aderhold, Patrick Barnett, Chloe Brummett, Kaydence De Haan, Grace Fulkerson,
3 Maximillian Josko, Trenton Policky, AnneClaire Rubish, Rylar Stevicks, Brooke Wright.

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

5 **REPORTS OF STANDING COMMITTEES**

6 MR. PRESIDENT:

7 The Committee on Senate Taxation respectfully reports that it has had under consideration
8 **SJR 506** which was deferred to the 41st Legislative Day.

9 Respectfully submitted,
10 Steve Kolbeck, Chair

11 MR. PRESIDENT:

12 The Committee on Senate State Affairs respectfully reports that it has had under consideration
13 **SB 48 and 199** which were tabled.

14 Also MR. PRESIDENT:

15 The Committee on Senate State Affairs respectfully reports that it has had under consideration
16 **SB 73, which was reconsidered** and returns the same with the recommendation that said bill be
17 amended as follows:

18 73C

19 On page 1, line 25, of the Introduced bill, after "resident;" insert " or"

20 On page 2, line 1, of the Introduced bill, after "resident;

21 (3)" delete "The courthouse of the county in which the individual is a resident; or"

22 On page 2, line 2, of the Introduced bill, after "or" delete "(4)"

23 73A

24 On page 2, line 1, of the Introduced bill, after "resident;" delete " or"

25 On page 2, line 3, of the Introduced bill, delete the period and insert "; or

26 (5) An address with a commercial mail receiving agency."

27 73D

28 On page 1, line 17, of the Introduced bill, after "residence," delete " the physical location in
29 this state where"

30 On page 1, line 17, of the Introduced bill, after "person" delete " an individual currently"

31 On page 1, line 18, of the Introduced bill, delete " lives and has lived for at least thirty days"
32 and insert " the location where an individual maintains an actual fixed permanent dwelling,

1 establishment, or any other abode where the individual lives and usually sleeps for at least thirty
2 consecutive days"

3 On page 1, line 20, of the Introduced bill, after "days." delete "Section 2. That a NEW SECTION
4 be added to chapter 32-12:"

5 On page 1, line 21, of the Introduced bill, after "32-12:" delete "If an individual has lived in
6 the state for at least thirty days and does not live at a fixed, permanent, or private structure, the
7 individual may use as the individual's principal residence, one of the following locations in this state:"

8 On page 1, line 24, of the Introduced bill, after "state:" delete "(1) A homeless shelter to which
9 the individual regularly returns;

10 (2) The place at which the individual is a resident; or

11 (3) The courthouse of the county in which the individual is a resident; or

12 (4) A general delivery address for a post office covering the location where the individual is a
13 resident.

14 An individual who is otherwise qualified to be issued a driver's license may not be refused a
15 driver's license because the individual does not live in a fixed permanent, or private structure."

16 On page 1, line 25, of the Introduced bill, after "resident;" insert " or"

17 And that as so amended, **SB 73, which was reconsidered** do pass.

18 Also MR. PRESIDENT:

19 The Committee on Senate State Affairs respectfully reports that it has had under consideration
20 **SB 164** and returns the same with the recommendation that said bill be amended as follows:

21 164C

22 On page 1, line 5, of the Introduced bill, delete "For the purposes of this Act, the term
23 "deepfake" means any " and insert "Terms used in this Act mean:

24 (1) "Artificial intelligence," any machine-based system that, for any explicit or implicit
25 objective, infers from the inputs received by the system how to generate content, decisions,
26 predictions, recommendations, or other outputs, which can influence physical or virtual
27 environments; and

28 (2) "Deepfake," any "

29 On page 2, line 8, of the Introduced bill, after "an" insert " internet computer service, as defined
30 in 47 U. S. C. § 230 (January 3, 2024),"

31 On page 2, line 28, of the Introduced bill, delete " digitally generated or manipulated and is
32 not an accurate representation of fact or actual events" and insert " manipulated or generated by
33 artificial intelligence"

34 And that as so amended, **SB 164** do pass.

35 Also MR. PRESIDENT:

36 The Committee on Senate State Affairs respectfully reports that it has had under consideration
37 **SB 124** and returns the same with the recommendation that said bill do pass.

1 Also MR. PRESIDENT:

2 The Committee on Senate State Affairs respectfully reports that it has had under consideration
3 **SB 204** which was deferred to the 41st Legislative Day.

4 Respectfully submitted,
5 Jim Mehlhaff, Chair

6 MR. PRESIDENT:

7 The Senate Committee on Appropriations respectfully reports that it has had under
8 consideration **HB 1189** and returns the same with the recommendation that said bill do pass.

9 Respectfully submitted,
10 Ernie Otten, Chair

11 MR. PRESIDENT:

12 The Committee on Senate Health and Human Services respectfully reports that it has had
13 under consideration **HB 1071** and returns the same with the recommendation that said bill be
14 amended as follows:

15 1071A

16 On page 1, line 25, of the Introduced bill, after "physician" insert the comma

17 On page 2, line 1, of the Introduced bill, delete " two" and insert " six"

18 On page 2, line 1, of the Introduced bill, after "thousand" delete " eighty"

19 On page 2, line 1, of the Introduced bill, after "hours" insert the comma

20 On page 2, line 2, of the Introduced bill, delete ":

21 (a) A" and insert " a"

22 On page 2, line 3, of the Introduced bill, after "36-4;" delete " or

23 (b) A physician assistant who has completed four thousand practice hours, not including any
24 practice hours completed under a collaborative agreement;"

25 On page 2, line 8, of the Introduced bill, after "physician" delete ", or physician assistant who
26 meets the requirements of subsection (1)(b),"

27 On page 2, line 22, of the Introduced bill, delete " two" and insert " six"

28 On page 2, line 22, of the Introduced bill, after "thousand" delete " eighty"

29 On page 2, line 25, of the Introduced bill, delete " two" and insert " six"

30 On page 2, line 25, of the Introduced bill, after "thousand" delete " eighty"

31 On page 3, line 26, of the Introduced bill, delete " two" and insert " six"

32 On page 3, line 27, of the Introduced bill, after "thousand" delete " eighty"

1 On page 5, line 9, of the Introduced bill, after "provide" insert " the following"

2 On page 5, line 12, of the Introduced bill, after "perform" delete ". A physician assistant may"

3 On page 7, line 17, of the Introduced bill, after "supervises" delete ", or a physician assistant
4 who meets the requirements of subsection 36-4A-1. 1(1)(b),"

5 And that as so amended, **HB 1071** do pass, and having been certified as uncontested, be
6 placed on the consent calendar.

7 Also MR. PRESIDENT:

8 The Committee on Senate Health and Human Services respectfully reports that it has had
9 under consideration **HB 1099 and 1144** and returns the same with the recommendation that said
10 bills do pass, and having been certified as uncontested, be placed on the consent calendar.

11 Respectfully submitted,
12 Kevin D. Jensen, Chair

13 MR. PRESIDENT:

14 The Committee on Senate Commerce and Energy respectfully reports that it has had under
15 consideration **SB 117, which was reconsidered** which was tabled.

16 Respectfully submitted,
17 Casey Crabtree, Chair

18 MR. PRESIDENT:

19 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
20 Enrolling has carefully compared **SB 72, 84, and 97** and finds the same correctly enrolled.

21 Respectfully submitted,
22 Chris Karr, Chair

23 **MESSAGES FROM THE HOUSE**

24 MR. PRESIDENT:

25 I have the honor to return herewith **SB 72, 84, and 97** which have passed the House without
26 change.

27 Also MR. PRESIDENT:

28 I have the honor to return herewith **SCR 605** in which the House has concurred.

29 Also MR. PRESIDENT:

30 I have the honor to transmit herewith **HCR 6010** which has been adopted by the House and
31 your concurrence is respectfully requested.

1 Also MR. PRESIDENT:

2 I have the honor to transmit herewith **HB 1097, 1116, 1155, 1195, 1225, 1232, and 1266**
3 which have passed the House and your favorable consideration is respectfully requested.

4 Respectfully,
5 Patricia Miller, Chief Clerk

6 **MOTIONS AND RESOLUTIONS**

7 Friday, Sen. Mehlhaff announced his intention to reconsider the vote by which **SB 198** lost.

8 Sen. Mehlhaff moved that the Senate do now reconsider the vote by which **SB 198** lost.

9 The question being on Sen. Mehlhaff's motion to reconsider the vote by which **SB 198** lost.

10 And the roll being called:

11 Yeas 19, Nays 16, Excused 0, Absent 0

12 Yeas: Beal, Crabtree, Davis, Deibert, Duhamel, Hulse, Karr, Kolbeck (Steve), Larson, Mehlhaff,
13 Miskimins, Reed, Rohl, Sauder, Schoenfish, Smith, Vilhauer, Wheeler, and Zikmund

14 Nays: Blanc, Carley, Foster, Grove, Hohn, Howard, Jensen (Kevin), Lapka, Marty, Nelson,
15 Otten, Perry, Peterson (Sue), Pischke, Voight, and Voita

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 198** was up for reconsideration and final passage.

18 **SB 198: FOR AN ACT ENTITLED, An Act to establish conditions a prospective condemnor must**
19 **satisfy before commencing condemnation proceedings.**

20 Having had its second reading was up for reconsideration and final passage.

21 Sen. Mehlhaff moved that **SB 198** be amended as follows:

22 198E

23 On page 2, after line 30, of the Senate State Affairs Engrossed bill, insert: "

24 **Section 6. That a NEW SECTION be added to chapter 49-41B:**

25 If an easement is necessary for a proposed facility requiring a permit pursuant to this chapter,
26 and as a precondition for initiating condemnation proceedings under chapter 21-35, the applicant
27 must, at least sixty days before applying to the commission for the permit, provide notice of the
28 applicant's intent to obtain a permit to the owner of record of the property on which the easement
29 is sought.

30 The notice must:

31 (1) Be sent by certified mail, return receipt requested;

32 (2) Contain a description of the nature and location of the proposed facility; and

1 (3) Include a color aerial map of the property, showing the intended location of the proposed
2 facility.

3 Notice is not required pursuant to this section if the applicant has already obtained the
4 necessary easement on the property.

5 For purposes of this section, "owner of record" means the person designated to receive the
6 property tax bill, on the property at issue, sent by the county treasurer."

7 Which motion prevailed.

8 The question being "Shall **SB 198** pass as amended?"

9 And the roll being called:

10 Yeas 18, Nays 17, Excused 0, Absent 0

11 Yeas: Beal, Crabtree, Davis, Deibert, Duhamel, Karr, Kolbeck (Steve), Larson, Mehlhaff,
12 Miskimins, Reed, Rohl, Sauder, Schoenfish, Smith, Vilhauer, Wheeler, and Zikmund

13 Nays: Blanc, Carley, Foster, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Lapka, Marty,
14 Nelson, Otten, Perry, Peterson (Sue), Pischke, Voight, and Voita

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

17 The question being on the title.

18 Sen. Carley moved that the title to **SB 198** be amended.

19 Sen. Smith rose to a point of order on theatrics.

20 The President ruled in favor of Sen. Smith's point of order and deemed the title germane to
21 the bill.

22 **CONSIDERATION OF REPORTS OF COMMITTEES**

23 Sen. Mehlhaff moved that the reports of the Standing Committees on

24 Local Government on **SB 193** as found on page 336 of the Senate Journal; also

25 Taxation on **SB 169** as found on page 336 of the Senate Journal;

26 Taxation on **SB 191** as found on page 337 of the Senate Journal; also

27 State Affairs on **SB 188** as found on page 329 of the Senate Journal; also

28 State Affairs on **SB 216** as found on page 330 of the Senate Journal; and

29 State Affairs on **SR 702** as found on page 339 of the Senate Journal be adopted.

30 Which motion prevailed and the reports were adopted.

1 **HB 1161** was referred to the Committee on Military and Veterans Affairs.

2 **HB 1245** was referred to the Committee on Taxation.

3 **HB 1265** was referred to the Committee on Transportation.

4 **HCR 6003** was referred to the Committee on State Affairs.

5 **SECOND READING AND CONSIDERATION OF CONSENT CALENDAR ITEMS**

6 Sen. Rohl requested that **SB 147, 150, and 152** be removed from the Consent Calendar.

7 **HB 1173**: FOR AN ACT ENTITLED, An Act to eliminate the cap on assessment amounts for
8 road improvements.

9 Was read the second time.

10 The question being "Shall **HB 1173** pass?"

11 And the roll being called:

12 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

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

20 **SB 3**: FOR AN ACT ENTITLED, An Act to increase driver license fees.

21 Was read the second time.

22 The question being "Shall **SB 3** pass as amended?"

23 And the roll being called:

24 Yeas 24, Nays 11, Excused 0, Absent 0

25 Yeas: Beal, Crabtree, Davis, Deibert, Duhamel, Grove, Hohn, Hulse, Karr, Kolbeck (Steve),
26 Lapka, Larson, Mehlhaff, Miskimins, Nelson, Otten, Perry, Reed, Sauder, Schoenfish, Smith,
27 Vilhauer, Wheeler, and Zikmund

28 Nays: Blanc, Carley, Foster, Howard, Jensen (Kevin), Marty, Peterson (Sue), Pischke, Rohl,
29 Voight, and Voita

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

1 **SB 44:** FOR AN ACT ENTITLED, An Act to modify tax refunds for elderly persons and persons
2 with a disability, to make an appropriation therefor, and to declare an emergency.

3 Was read the second time.

4 The question being "Shall **SB 44** pass?"

5 And the roll being called:

6 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

13 **SB 52:** FOR AN ACT ENTITLED, An Act to authorize the expansion of the South Dakota State
14 Veterans Cemetery, to make an appropriation therefor, and to declare an emergency.

15 Was read the second time.

16 The question being "Shall **SB 52** pass?"

17 And the roll being called:

18 Yeas 35, Nays 0, Excused 0, Absent 0

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

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 70:** FOR AN ACT ENTITLED, An Act to modify the maximum sparsity benefit a sparse school
26 district is eligible to receive.

27 Was read the second time.

28 The question being "Shall **SB 70** pass as amended?"

29 And the roll being called:

30 Yeas 27, Nays 8, Excused 0, Absent 0

31 Yeas: Beal, Blanc, Carley, Foster, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr, Kolbeck
32 (Steve), Lapka, Larson, Marty, Mehlhaff, Miskimins, Nelson, Perry, Peterson (Sue), Pischke, Reed,
33 Sauder, Smith, Voight, Voita, Wheeler, and Zikmund

34 Nays: Crabtree, Davis, Deibert, Duhamel, Otten, Rohl, Schoenfish, and Vilhauer

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 **SB 99:** FOR AN ACT ENTITLED, An Act to make an appropriation for purchasing, storing, and
2 distributing sexual assault kits.
- 3 Was read the second time.
- 4 The question being "Shall **SB 99** pass?"
- 5 And the roll being called:
- 6 Yeas 30, Nays 5, Excused 0, Absent 0
- 7 Yeas: Beal, Blanc, Crabtree, Davis, Deibert, Duhamel, Foster, Grove, Hulse, Jensen (Kevin),
8 Karr, Kolbeck (Steve), Lapka, Larson, Marty, Mehlhaff, Miskimins, Otten, Perry, Peterson (Sue),
9 Pischke, Reed, Rohl, Sauder, Schoenfish, Smith, Vilhauer, Voight, Wheeler, and Zikmund
- 10 Nays: Carley, Hohn, Howard, Nelson, and Voita
- 11 So the bill having received an affirmative vote of a two-thirds majority of the members-elect,
12 the President declared the bill passed and the title was agreed to.
- 13 **SB 136:** FOR AN ACT ENTITLED, An Act to make an appropriation to enhance the economic
14 health of South Dakota.
- 15 Was read the second time.
- 16 The question being "Shall **SB 136** pass?"
- 17 And the roll being called:
- 18 Yeas 31, Nays 4, Excused 0, Absent 0
- 19 Yeas: Beal, Blanc, Crabtree, Davis, Foster, Grove, Hohn, Hulse, Jensen (Kevin), Karr, Kolbeck
20 (Steve), Lapka, Larson, Marty, Mehlhaff, Miskimins, Nelson, Otten, Perry, Peterson (Sue), Pischke,
21 Reed, Rohl, Sauder, Schoenfish, Smith, Vilhauer, Voight, Voita, Wheeler, and Zikmund
- 22 Nays: Carley, Deibert, Duhamel, and Howard
- 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 137:** FOR AN ACT ENTITLED, An Act to make an appropriation for the economic
26 development of South Dakota.
- 27 Was read the second time.
- 28 The question being "Shall **SB 137** pass?"
- 29 And the roll being called:
- 30 Yeas 28, Nays 7, Excused 0, Absent 0

1 Yeas: Beal, Blanc, Crabtree, Davis, Duhamel, Foster, Grove, Karr, Kolbeck (Steve), Lapka,
2 Larson, Mehlhaff, Miskimins, Nelson, Otten, Perry, Peterson (Sue), Pischke, Reed, Rohl, Sauder,
3 Schoenfish, Smith, Vilhauer, Voight, Voita, Wheeler, and Zikmund

4 Nays: Carley, Deibert, Hohn, Howard, Hulse, Jensen (Kevin), and Marty

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

7 **SB 138:** FOR AN ACT ENTITLED, An Act to make an appropriation for developing the economic
8 viability of South Dakota.

9 Was read the second time.

10 The question being "Shall **SB 138** pass?"

11 And the roll being called:

12 Yeas 31, Nays 4, Excused 0, Absent 0

13 Yeas: Beal, Blanc, Crabtree, Davis, Deibert, Duhamel, Foster, Grove, Hohn, Hulse, Jensen
14 (Kevin), Karr, Kolbeck (Steve), Lapka, Larson, Marty, Mehlhaff, Miskimins, Nelson, Otten, Perry,
15 Peterson (Sue), Reed, Rohl, Sauder, Schoenfish, Smith, Vilhauer, Voight, Wheeler, and Zikmund

16 Nays: Carley, Howard, Pischke, and Voita

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

19 **SB 144:** FOR AN ACT ENTITLED, An Act to require legislative approval for significant capital
20 expenditures by the Department of Game, Fish and Parks.

21 Was read the second time.

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

23 And the roll being called:

24 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

31 **SB 145:** FOR AN ACT ENTITLED, An Act to require legislative approval of real property leases
32 that are necessary for the operation of state government and exceed specified durations or rental
33 payments.

34 Was read the second time.

1 The question being "Shall **SB 145** pass as amended?"

2 And the roll being called:

3 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

10 **SB 146**: FOR AN ACT ENTITLED, An Act to revise provisions on interim transfers and
11 appropriations.

12 Was read the second time.

13 The question being "Shall **SB 146** pass as amended?"

14 And the roll being called:

15 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

22 **SB 157**: FOR AN ACT ENTITLED, An Act to address labor trafficking in South Dakota.

23 Was read the second time.

24 The question being "Shall **SB 157** pass as amended?"

25 And the roll being called:

26 Yeas 19, Nays 16, Excused 0, Absent 0

27 Yeas: Blanc, Davis, Grove, Hohn, Howard, Jensen (Kevin), Karr, Kolbeck (Steve), Lapka,
28 Larson, Marty, Miskimins, Nelson, Perry, Peterson (Sue), Pischke, Sauder, Smith, and Voight

29 Nays: Beal, Carley, Crabtree, Deibert, Duhamel, Foster, Hulse, Mehlhaff, Otten, Reed, Rohl,
30 Schoenfish, Vilhauer, Voita, Wheeler, and Zikmund

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

33 The question being on the title.

34 Sen. Deibert moved that the title to **SB 157** be amended as follows:

1

157C

2 On page 1, line 1, of the Senate Commerce and Energy Engrossed bill, delete "address labor
3 trafficking in South Dakota" and insert "require proof of workers' compensation insurance for
4 contractors of public improvement"

5 Which motion prevailed and the title was so amended.

6 **SB 163:** FOR AN ACT ENTITLED, An Act to require certain firefighting equipment purchased
7 by a fire department contain particular labeling.

8 Was read the second time.

9 The question being "Shall **SB 163** pass?"

10 And the roll being called:

11 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

18 **SB 178:** FOR AN ACT ENTITLED, An Act to increase a tax on aviation gasoline and jet fuel.

19 Was read the second time.

20 The question being "Shall **SB 178** pass as amended?"

21 And the roll being called:

22 Yeas 28, Nays 7, Excused 0, Absent 0

23 Yeas: Beal, Blanc, Deibert, Duhamel, Foster, Grove, Hohn, Hulse, Jensen (Kevin), Karr, Kolbeck
24 (Steve), Lapka, Larson, Marty, Mehlhaff, Miskimins, Nelson, Otten, Perry, Peterson (Sue), Reed,
25 Sauder, Schoenfish, Smith, Vilhauer, Voight, Wheeler, and Zikmund

26 Nays: Carley, Crabtree, Davis, Howard, Pischke, Rohl, and Voita

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

31 Was read the second time.

1 Sen. Pischke moved that **SB 201** be amended as follows:

2 201A

3 On page 1, line 5, of the Introduced bill, delete " political" and insert " a candidate campaign"

4 On page 1, line 6, of the Introduced bill, after "committee" insert " of a candidate for federal
5 office"

6 Which motion prevailed.

7 The question being "Shall **SB 201** pass as amended?"

8 And the roll being called:

9 Yeas 31, Nays 4, Excused 0, Absent 0

10 Yeas: Beal, Blanc, Carley, Crabtree, Davis, Deibert, Duhamel, Grove, Hohn, Howard, Hulse,
11 Jensen (Kevin), Karr, Kolbeck (Steve), Lapka, Marty, Mehlhaff, Miskimins, Nelson, Perry, Peterson
12 (Sue), Pischke, Reed, Rohl, Sauder, Schoenfish, Vilhauer, Voight, Voita, Wheeler, and Zikmund

13 Nays: Foster, Larson, Otten, and Smith

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

17 **HB 1044:** FOR AN ACT ENTITLED, An Act to authorize the use of a newborn safety device for
18 the voluntary surrender of a newborn and to make clarifying changes.

19 Was read the second time.

20 The question being "Shall **HB 1044** pass?"

21 And the roll being called:

22 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

29 **HB 1057:** FOR AN ACT ENTITLED, An Act to transfer moneys from the South Dakota-bred
30 racing fund to the special racing revolving fund.

31 Was read the second time.

1 The question being "Shall **HB 1057** pass?"

2 And the roll being called:

3 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

10 **HB 1063**: FOR AN ACT ENTITLED, An Act to revise the provisions for preparing a fiscal note
11 for ballot questions.

12 Was read the second time.

13 The question being "Shall **HB 1063** pass?"

14 And the roll being called:

15 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

22 **HB 1068**: FOR AN ACT ENTITLED, An Act to allow a student to wear certain military
23 decorations at a school graduation ceremony and to declare an emergency.

24 Was read the second time.

25 The question being "Shall **HB 1068** pass as amended?"

26 And the roll being called:

27 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

MOTIONS AND RESOLUTIONS

Sen. Mehlhaff moved that **HB 1093** be deferred to Tuesday, February 25, 2025, the 27th legislative day.

Which motion prevailed.

SIGNING OF BILLS

The President publicly read the title to

SB 72: FOR AN ACT ENTITLED, An Act to revise the payor of autopsy costs in certain circumstances.

SB 84: FOR AN ACT ENTITLED, An Act to extend the timeframe for filling a vacancy in a board of county commissioners.

SB 97: FOR AN ACT ENTITLED, An Act to allow the governing body of a municipality to change the use of municipally owned parkland by ordinance.

HB 1042: FOR AN ACT ENTITLED, An Act to make an appropriation for the construction of historical exhibits at the Cultural Heritage Center.

HB 1095: FOR AN ACT ENTITLED, An Act to extend the area in which a director for an irrigation district may reside.

HB 1160: FOR AN ACT ENTITLED, An Act to waive the driver license renewal period for members of the military and their families, and employees of the state department.

And signed the same in the presence of the Senate.

Sen. Jensen (Kevin) moved that the Senate do now adjourn, which motion prevailed and at 4:53 p.m. the Senate adjourned.

Peggy Laurenz, Secretary

