

JOURNAL OF THE SENATE

ONE HUNDREDTH SESSION

THIRTY-FOURTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, March 10, 2025

The Senate convened at 11:00 a.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Pastor John Fette, followed by the Pledge of Allegiance led by Senate pages James Burma and Carson Glodt.

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 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,
Chris Karr, Chair

Which motion prevailed.

1 The oath of office was administered by the President to the following named pages:
2 James Burma, Carson Glodt, Madisyn Raymond, Spencer Sargent, Willa Stern.
3 Which was subscribed to and placed on file in the office of the Secretary of State.

4 **SIGNING OF BILLS**

5 The President publicly read the title to
6 **SB 28: FOR AN ACT ENTITLED, An Act to revise provisions relating to licensing fees and license**
7 **renewal dates for the practice of barbering and to declare an emergency.**
8 And signed the same in the presence of the Senate.

9 **COMMUNICATIONS AND PETITIONS**

10 March 10, 2025

11 The Honorable Tonnis H. Venhuizen
12 President of the Senate
13 State Capitol
14 Pierre, SD 57501

15 Dear President and Members of the Senate:

16 Pursuant to the provisions of Chapter 1-16G of the South Dakota Codified Laws and subject to
17 your consent, I have the honor to inform you that I have reappointed Jeffery Erickson, of Lincoln
18 County, Sioux Falls, South Dakota, to the Board of Economic Development.

19 This reappointment is effective April 20, 2025, and shall continue until April 20, 2029.

20 Sincerely,
21 Larry Rhoden
22 Governor

23 The President announced the referral of the reappointment to the Committee on Commerce
24 and Energy.

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 3, 26, 28, 32, 64, 75, 88, 90, 100, 115, 131, 143, 173,**
29 **176, and 215, and SJR 503 and 505** and finds the same correctly enrolled.

1 Also MR. PRESIDENT:

2 The Committee on Legislative Procedure respectfully reports that **SB 24, 27, 31, 45, 54, 56,**
3 **58, 59, 61, 62, 69, 89, 92, 106, 116, 128, 145, 146, 154, 155, 171, 185, and 193** were
4 delivered to his Excellency, the Governor, for his approval at 9:40 a.m., March 10, 2025.

5 Respectfully submitted,
6 Chris Karr, Chair

7 Also MR. PRESIDENT:

8 The Committee on Legislative Procedure respectfully reports that **SJR 501** was delivered to
9 her Excellency, the Secretary of State, for her approval at 9:40 a.m., March 10, 2025.

10 Respectfully submitted,
11 Chris Karr, Chair

12 **MESSAGES FROM THE HOUSE**

13 MR. PRESIDENT:

14 I have the honor to inform your honorable body that the House has concurred in Senate
15 amendments to **HB 1016 and 1232**.

16 Also MR. PRESIDENT:

17 I have the honor to return herewith **SB 3, 26, 28, 32, 64, 88, 90, 100, 115, 131, 143, 173,**
18 **and 215, and SJR 503 and 505** which have passed the House without change.

19 Also MR. PRESIDENT:

20 I have the honor to return herewith **SB 6, 14, 68, 73, and 113** which have been amended by
21 the House and your concurrence in the amendments is respectfully requested.

22 Respectfully,
23 Patricia Miller, Chief Clerk

24 **MOTIONS AND RESOLUTIONS**

25 Sen. Hulse moved that the Senate do not concur in House amendments to **SB 91** and that a
26 committee of three on the part of the Senate be appointed to meet with a like committee on the
27 part of the House to adjust the differences between the two houses.

28 Which motion prevailed and the President Pro Tem appointed as such committee
29 Senators Hulse (Chair), Grove, and Reed.

1 Sen. Jensen (Kevin) moved that the rules be suspended for the sole purpose of the introduction
2 and first reading of a commemoration honoring the Canton Girls Wrestling Team for their second-
3 place finish at the 2025 state wrestling tournament.

4 The question being on Sen. Jensen (Kevin)'s motion that the rules be suspended for the sole
5 purpose of the introduction and first reading of a commemoration honoring the Canton Girls
6 Wrestling Team for their second-place finish at the 2025 state wrestling tournament.

7 And the roll being called:

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

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

13 Nays: Carley

14 Excused: Foster

15 So the motion having received an affirmative vote of a two-thirds majority of the members-
16 elect, the President declared the motion carried and the rules were suspended.

17 Sen. Mehlhaff moved that **HB 1135** be placed to follow **HB 1039** on today's calendar.

18 Which motion prevailed.

19 **CONSIDERATION OF REPORTS OF COMMITTEES**

20 Sen. Mehlhaff moved that the reports of the Standing Committees on
21 Commerce and Energy on **HB 1007** as found on page 461 of the Senate Journal; also
22 Judiciary on **HB 1230** as found on page 461 of the Senate Journal; also
23 State Affairs on **HB 1169** as found on page 463 of the Senate Journal; also
24 State Affairs on **HB 1208** as found on page 464 of the Senate Journal; also
25 State Affairs on **HB 1062** as found on page 471 of the Senate Journal; and
26 State Affairs on **HB 1130** as found on page 463 of the Senate Journal be adopted.

27 Which motion prevailed and the reports were adopted.

28 Sen. Peterson (Sue) moved that **HB 1062** be placed on today's calendar to precede **HB 1135**
29 pursuant to JR 6F-6.

30 The question being on Sen. Peterson (Sue)'s motion that **HB 1062** be placed on today's
31 calendar to precede **HB 1135** pursuant to JR 6F-6.

32 And the roll being called:

33 Yeas 20, Nays 14, Excused 1, Absent 0

1 Yeas: Beal, Blanc, Carley, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr, Lapka, Larson,
2 Marty, Nelson, Perry, Peterson (Sue), Pischke, Schoenfish, Smith, Voight, and Voita

3 Nays: Crabtree, Davis, Deibert, Duhamel, Kolbeck (Steve), Mehlhaff, Miskimins, Otten, Reed,
4 Rohl, Sauder, Vilhauer, Wheeler, and Zikmund

5 Excused: Foster

6 So the motion having received an affirmative vote of a majority of the members-elect, the
7 President declared the motion prevailed and **HB 1062** was so placed.

8 Sen. Karr moved that **HB 1130** be placed on today's calendar pursuant to JR 6F-6.

9 The question being on Sen. Karr's motion that **HB 1130** be placed on today's calendar
10 pursuant to JR 6F-6.

11 And the roll being called:

12 Yeas 26, Nays 8, Excused 1, Absent 0

13 Yeas: Beal, Blanc, Carley, Crabtree, Davis, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr,
14 Lapka, Larson, Marty, Mehlhaff, Nelson, Otten, Perry, Peterson (Sue), Pischke, Rohl, Smith,
15 Vilhauer, Voight, Voita, and Zikmund

16 Nays: Deibert, Duhamel, Kolbeck (Steve), Miskimins, Reed, Sauder, Schoenfish, and Wheeler

17 Excused: Foster

18 So the motion having received an affirmative vote of a majority of the members-elect, the
19 President declared the motion prevailed and **HB 1130** was so placed.

20 **HB 1130**: FOR AN ACT ENTITLED, An Act to provide permissible dates for municipal and school
21 district elections.

22 Was read the second time.

23 The question being "Shall **HB 1130** pass?"

24 And the roll being called:

25 Yeas 23, Nays 11, Excused 1, Absent 0

26 Yeas: Beal, Blanc, Carley, Crabtree, Grove, Hohn, Howard, Hulse, Karr, Lapka, Larson, Marty,
27 Mehlhaff, Nelson, Perry, Peterson (Sue), Pischke, Rohl, Smith, Vilhauer, Voight, Voita, and Zikmund

28 Nays: Davis, Deibert, Duhamel, Jensen (Kevin), Kolbeck (Steve), Miskimins, Otten, Reed,
29 Sauder, Schoenfish, and Wheeler

30 Excused: Foster

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

1

CONSIDERATION OF EXECUTIVE APPOINTMENTS

2

3 The Senate proceeded to the consideration of the executive appointment of Jeremiah Schneider
4 of Lake County, Madison, South Dakota, to the position of Secretary of the Department of Veterans
5 Affairs.

5

6 The question being "Does the Senate advise and consent to the executive appointment of
7 Jeremiah Schneider?"

7

8 And the roll being called:

8

9 Yeas 34, Nays 0, Excused 1, Absent 0

9

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

13

14 Excused: Foster

14

15 So the question having received an affirmative vote of a majority of the members-elect, the
16 President declared the appointment confirmed.

16

17 The Senate proceeded to the consideration of the executive appointment of Jarrod Johnson of
18 Minnehaha County, Garretson, South Dakota, to the State Brand Board.

18

19 The question being "Does the Senate advise and consent to the executive appointment of
20 Jarrod Johnson?"

20

21 And the roll being called:

21

22 Yeas 34, Nays 0, Excused 1, Absent 0

22

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

26

27 Excused: Foster

27

28 So the question having received an affirmative vote of a majority of the members-elect, the
29 President declared the appointment confirmed.

29

30 The Senate proceeded to the consideration of the executive reappointment of Lyle Spring of
31 Meade County, Union Center, South Dakota, to the State Brand Board.

31

32 Sen. Rohl made a substitute motion that the Senate advice and consent to the executive
33 reappointment of Lyle Spring to the State Brand Board.

33

34 The question being "Does the Senate advise and consent to the executive reappointment of
35 Lyle Spring?"

35

36 And the roll being called:

36

Yeas 33, Nays 1, Excused 1, Absent 0

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

5 Nays: Carley

6 Excused: Foster

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

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

10 Sen. Larson requested that **HB 1039** be removed from the Consent Calendar.

11 **HB 1007**: FOR AN ACT ENTITLED, An Act to prohibit use of the South Dakota public utilities
12 commission gross receipts tax fund for reimbursement of costs incurred by the Public Utilities
13 Commission.

14 **HB 1143**: FOR AN ACT ENTITLED, An Act to require that the director of equalization adjust
15 certain agricultural land values.

16 **HB 1230**: FOR AN ACT ENTITLED, An Act to revise a provision related to unauthorized
17 distribution of fentanyl and provide a penalty therefor.

18 **HB 1264**: FOR AN ACT ENTITLED, An Act to require the disclosure of an outstanding loan
19 balance on a campaign finance disclosure report.

20 The executive reappointment of Haven Stuck of Pennington County, Rapid City, South Dakota,
21 to the State Brand Board.

22 Were read the second time.

23 The question being "Shall **HB 1007, 1143, and 1230** pass as amended, and **HB 1264** pass,
24 and does the Senate advise and consent to the reappointment?"

25 And the roll being called:

26 Yeas 34, Nays 0, Excused 1, Absent 0

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

31 Excused: Foster

32 So the bills having received an affirmative vote of a majority of the members-elect, the
33 President declared the bills passed, the titles agreed to, and the reappointment confirmed.

1

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

2

HB 1208: FOR AN ACT ENTITLED, An Act to designate an individual using the address of a mail forwarding service or post office box when applying to register as a voter or vote by absentee ballot as a federal voter.

3

4

Was read the second time.

5

The question being "Shall **HB 1208** pass as amended?"

6

And the roll being called:

7

Yeas 25, Nays 9, Excused 1, Absent 0

8

Yeas: Beal, Blanc, Carley, Crabtree, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr, Lapka, Marty, Mehlhaff, Nelson, Otten, Perry, Peterson (Sue), Pischke, Reed, Rohl, Smith, Vilhauer, Voight, Voita, and Zikmund

9

10

11

12

13

Nays: Davis, Deibert, Duhamel, Kolbeck (Steve), Larson, Miskimins, Sauder, Schoenfish, and Wheeler

14

Excused: Foster

15

16

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

17

18

HB 1066: FOR AN ACT ENTITLED, An Act to revise residency requirements for the purposes of voter registration.

19

Was read the second time.

20

The question being "Shall **HB 1066** pass as amended?"

21

And the roll being called:

22

Yeas 23, Nays 11, Excused 1, Absent 0

23

24

25

Yeas: Beal, Blanc, Carley, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr, Kolbeck (Steve), Lapka, Marty, Mehlhaff, Nelson, Otten, Perry, Peterson (Sue), Pischke, Rohl, Smith, Voight, Voita, and Zikmund

26

27

Nays: Crabtree, Davis, Deibert, Duhamel, Larson, Miskimins, Reed, Sauder, Schoenfish, Vilhauer, and Wheeler

28

Excused: Foster

29

30

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

31

32

HB 1005: FOR AN ACT ENTITLED, An Act to modify the requirement for payment of a private home study by the Department of Social Services.

33

Was read the second time.

34

The question being "Shall **HB 1005** pass as amended?"

1 And the roll being called:

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

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

7 Excused: Foster and Hulse

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 **HB 1165:** FOR AN ACT ENTITLED, An Act to provide a means by which an agricultural producer
11 may request an automatic refund of an assessment on crops.

12 Was read the second time.

13 The question being "Shall **HB 1165** pass as amended?"

14 And the roll being called:

15 Yeas 15, Nays 19, Excused 1, Absent 0

16 Yeas: Beal, Blanc, Carley, Grove, Hohn, Howard, Jensen (Kevin), Karr, Lapka, Marty, Nelson,
17 Perry, Peterson (Sue), Pischke, and Voita

18 Nays: Crabtree, Davis, Deibert, Duhamel, Hulse, Kolbeck (Steve), Larson, Mehlhaff, Miskimins,
19 Otten, Reed, Rohl, Sauder, Schoenfish, Smith, Vilhauer, Voight, Wheeler, and Zikmund

20 Excused: Foster

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

23 **HB 1169:** FOR AN ACT ENTITLED, An Act to modify the signature requirement for a petition
24 to initiate a constitutional amendment.

25 Was read the second time.

26 Sen. Rohl moved that **HB 1169** be amended as follows:

27 1169D

28 On page 1, line 9, of the Senate State Affairs Engrossed bill, after "by" delete " qualified voters
29 from each senatorial district, equal in number to at least five percent of the total votes cast for
30 Governor in the senatorial district at the last gubernatorial election, provided that the total number
31 of signatures on the petition equals"

32 On page 1, line 13, of the Senate State Affairs Engrossed bill, after "election" insert ". The
33 petition to propose an amendment to the constitution must include signatures from at least eighteen
34 senatorial districts. A senatorial district may only be counted toward meeting the requirements of
35 this section if the petition contains a number of signatures from the senatorial district equal to at
36 least five percent of the total number of votes cast for Governor in the senatorial district at the last
37 gubernatorial election"

1 Sen. Pischke requested a roll call vote.

2 Which request was supported.

3 And the roll being called:

4 Yeas 16, Nays 18, Excused 1, Absent 0

5 Yeas: Crabtree, Davis, Deibert, Duhamel, Hulse, Kolbeck (Steve), Larson, Miskimins, Reed,
6 Rohl, Sauder, Schoenfish, Smith, Vilhauer, Wheeler, and Zikmund

7 Nays: Beal, Blanc, Carley, Grove, Hohn, Howard, Jensen (Kevin), Karr, Lapka, Marty, Mehlhaff,
8 Nelson, Otten, Perry, Peterson (Sue), Pischke, Voight, and Voita

9 Excused: Foster

10 So the motion not having received an affirmative vote of a majority of the members present,
11 the President declared the motion lost.

12 The question being "Shall **HB 1169** pass as amended?"

13 And the roll being called:

14 Yeas 19, Nays 15, Excused 1, Absent 0

15 Yeas: Beal, Blanc, Carley, Crabtree, Deibert, Grove, Hohn, Howard, Jensen (Kevin), Karr,
16 Lapka, Marty, Mehlhaff, Nelson, Perry, Peterson (Sue), Pischke, Voight, and Voita

17 Nays: Davis, Duhamel, Hulse, Kolbeck (Steve), Larson, Miskimins, Otten, Reed, Rohl, Sauder,
18 Schoenfish, Smith, Vilhauer, Wheeler, and Zikmund

19 Excused: Foster

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 President Pro Tem Karr now presiding.

23 **HB 1184**: FOR AN ACT ENTITLED, An Act to amend the deadline for filing a petition to initiate
24 a measure or constitutional amendment.

25 Was read the second time.

26 Sen. Rohl moved that **HB 1184** be amended as follows:

27 1184A

28 On page 2, line 5, of the Introduced bill, delete " February" and insert " April"

29 On page 3, line 1, of the Introduced bill, delete " February" and insert " April"

30 The President Pro Tem, being in doubt, called for a roll call vote.

31 And the roll being called:

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

1 Yeas: Crabtree, Davis, Deibert, Duhamel, Hulse, Kolbeck (Steve), Larson, Miskimins, Reed,
2 Rohl, Sauder, Schoenfish, Smith, Vilhauer, Wheeler, and Zikmund

3 Nays: Beal, Blanc, Carley, Grove, Howard, Jensen (Kevin), Karr, Lapka, Marty, Mehlhaff,
4 Nelson, Otten, Perry, Peterson (Sue), Pischke, Voight, and Voita

5 Excused: Foster and Hohn

6 So the motion not having received an affirmative vote of a majority of the members present,
7 the President declared the motion lost.

8 The question being "Shall **HB 1184** pass?"

9 And the roll being called:

10 Yeas 19, Nays 15, Excused 1, Absent 0

11 Yeas: Beal, Blanc, Carley, Crabtree, Grove, Hohn, Howard, Jensen (Kevin), Karr, Lapka, Marty,
12 Mehlhaff, Nelson, Perry, Peterson (Sue), Pischke, Voight, Voita, and Zikmund

13 Nays: Davis, Deibert, Duhamel, Hulse, Kolbeck (Steve), Larson, Miskimins, Otten, Reed, Rohl,
14 Sauder, Schoenfish, Smith, Vilhauer, and Wheeler

15 Excused: Foster

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 President Venhuizen now presiding.

19 **HB 1218**: FOR AN ACT ENTITLED, An Act to prohibit counties, municipalities, and townships
20 from imposing firearm restrictions on certain employees, officers, and volunteers.

21 Was read the second time.

22 Sen. Voita moved that **HB 1218** be amended as follows:

23 1218P

24 On page 1, line 1, of the Senate Local Government Engrossed bill, delete "prohibit counties,
25 municipalities, and townships from imposing" and insert "address the imposition of"

26 On page 1, line 2, of the Senate Local Government Engrossed bill, after "officers," delete " and"

27 On page 1, line 2, of the Senate Local Government Engrossed bill, after "volunteers" insert "
28 and other individuals"

29 On page 1, line 12, of the Senate Local Government Engrossed bill, after "in" delete the colon

30 On page 1, line 13, of the Senate Local Government Engrossed bill, delete "(a) A county
31 courthouse, as defined in § 22-14-22; or

32 (b) The" and insert " the"

33 On page 1, line 24, of the Senate Local Government Engrossed bill, after "oral." delete "Section
34 2. That a NEW SECTION be added to chapter 7-18:"

1 On page 2, line 1, of the Senate Local Government Engrossed bill, after "7-18:" delete
 2 "Notwithstanding section 1 of this Act or § 7-18A-36, a county may, by any method or means,
 3 prohibit or restrict an individual from lawfully carrying a dangerous weapon, as defined in § 22-1-2,
 4 within a building or facility at which an event is occurring, provided metal detectors are utilized to
 5 screen for any dangerous weapons and armed security personnel are posted at each public
 6 entrance."

7 On page 2, line 14, of the Senate Local Government Engrossed bill, after "in" delete the colon

8 On page 2, line 15, of the Senate Local Government Engrossed bill, delete "(a) A county
 9 courthouse, as defined in § 22-14-22; or

10 (b) The" and insert " the"

11 On page 2, line 26, of the Senate Local Government Engrossed bill, after "oral." delete "Section
 12 4. That a NEW SECTION be added to chapter 8-4:

13 "

14 On page 2, line 27, of the Senate Local Government Engrossed bill, after "8-4:" delete
 15 "Notwithstanding section 3 of this Act or § 8-5-13, a township may, by any method or means,
 16 prohibit or restrict an individual from lawfully carrying a dangerous weapon, as defined in § 22-1-2,
 17 within a building or facility at which an event is occurring, provided metal detectors are utilized to
 18 screen for any dangerous weapons and armed security personnel are posted at each public
 19 entrance."

20 On page 3, line 8, of the Senate Local Government Engrossed bill, after "in" delete the colon

21 On page 3, line 9, of the Senate Local Government Engrossed bill, delete "(a) A county
 22 courthouse, as defined in § 22-14-22; or

23 (b) The" and insert " the"

24 On page 3, line 21, of the Senate Local Government Engrossed bill, delete "5 " and insert "3 "

25 On page 3, after line 25, of the Senate Local Government Engrossed bill, insert: "

26 **Section 5. That § 23-7-70 be REPEALED.**

27 ~~A person may not carry a concealed pistol in any licensed on-sale malt beverage or alcoholic~~
 28 ~~beverage establishment that derives over one-half of its total income from the sale of malt or~~
 29 ~~alcoholic beverages."~~

30 Sen. Wheeler moved as a substitute motion that **HB 1218** be amended as follows:

31 1218Q

32 On amendment (1218P),

33 On page 1, line 1, remove the overstrikes from "prohibit counties, municipalities, and townships
 34 from imposing"

35 On page 1, line 1, after "imposing" delete "address the imposition of"

36 On page 1, line 2, remove the overstrikes from " and"

37 On page 1, line 3, after "volunteers" delete ", and other individuals"

1 On page 3, line 26, after "entrance." delete "Section 5. That § 23-7-70 be REPEALED.

2 "

3 On page 3, line 27, after "REPEALED." delete "A person may not carry a concealed pistol in any
4 licensed on-sale malt beverage or alcoholic beverage establishment that derives over one-half of its
5 total income from the sale of malt or alcoholic beverages."

6 The question being on Sen. Wheeler's substitute motion that **HB 1218** be amended with
7 1218Q.

8 Sen. Voita requested a roll call vote.

9 Which request was supported.

10 And the roll being called:

11 Yeas 15, Nays 19, Excused 1, Absent 0

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

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

16 Excused: Foster

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

19 The question now being on Sen. Voita's pending motion to amend **HB 1218** as found on page
20 487 of the Senate Journal.

21 Which motion prevailed.

22 The question being "Shall **HB 1218** pass as amended?"

23 And the roll being called:

24 Yeas 30, Nays 4, Excused 1, Absent 0

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

28 Nays: Larson, Reed, Smith, and Wheeler

29 Excused: Foster

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.

32 **HB 1235:** FOR AN ACT ENTITLED, An Act to reduce a limit on the annual increases of property
33 tax revenues payable to certain taxing districts, and to subject school districts to a limit on property
34 taxes collected in a year.

35 Was read the second time.

1 Sen. Hulse moved that **HB 1235** be amended as follows:

2 1235C

3 On page 1, line 2, of the House State Affairs Engrossed bill, after "and" delete " to"

4 On page 1, line 3, of the House State Affairs Engrossed bill, after "year" insert ", and amend
5 public notice requirements prior to a vote to impose an excess tax levy"

6 On page 2, after line 2, of the House State Affairs Engrossed bill, insert: "

7 **Section 2. That a NEW SECTION be added to chapter 10-12:**

8 At least ten days in advance of a vote to impose an excess tax levy pursuant to §§ 10-12-43
9 or 10-12-43.1, the board of the school district shall publish, in a newspaper of general circulation
10 within the district, notice of its intent to impose an excess tax levy. The notice must include:

11 (1) The maximum amount under consideration in excess of the limitations applicable to the
12 school district;

13 (2) The amount allowed to be imposed without an excess tax levy; an

14 (3) The date, time, and location of the public hearing at which the board will vote to impose an
15 excess tax levy.

16 If the board of the district maintains a website, the notice must be published on the website,
17 at least ten days in advance of the public hearing.

18 The board of the school district shall, at the public hearing, provide taxpayers with an
19 opportunity to comment on the excess tax levy."

20 On page 2, after line 2, of the House State Affairs Engrossed bill, insert: "

21 **Section 3. That a NEW SECTION be added to chapter 10-13:**

22 At least ten days in advance of a vote to impose an excess tax levy pursuant to § 10-13-36,
23 the governing body of a taxing district shall publish, in a newspaper of general circulation within the
24 district, notice of its intent to impose an excess tax levy. The notice must include:

25 (1) The maximum amount under consideration in excess of the limitations applicable to the
26 taxing district;

27 (2) The amount allowed to be imposed without an excess tax levy; and

28 (3) The date, time, and location of the public hearing at which the governing body will vote to
29 impose an excess tax levy.

30 If the governing body of the district maintains a website, the notice must be published on the
31 website, at least ten days in advance of the public hearing

32 The governing body of the district shall, at the public hearing, provide taxpayers with an
33 opportunity to comment on the excess tax levy."

34 The President, being in doubt, called for a division of the Senate.

35 The question being on Sen. Hulse's motion that **HB 1235** be amended with 1235C.

36 Which motion lost.

1 The question being "Shall **HB 1235** pass as amended?"

2 And the roll being called:

3 Yeas 13, Nays 21, Excused 1, Absent 0

4 Yeas: Beal, Blanc, Carley, Crabtree, Howard, Kolbeck (Steve), Marty, Mehlhaff,
5 Peterson (Sue), Pischke, Voight, Voita, and Zikmund

6 Nays: Davis, Deibert, Duhamel, Grove, Hohn, Hulse, Jensen (Kevin), Karr, Lapka, Larson,
7 Miskimins, Nelson, Otten, Perry, Reed, Rohl, Sauder, Schoenfish, Smith, Vilhauer, and Wheeler

8 Excused: Foster

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 **HB 1239:** FOR AN ACT ENTITLED, An Act to revise certain affirmative defenses to
12 dissemination of material harmful to minors and obscenity offenses.

13 Was read the second time.

14 Sen. Rohl moved to strike the enacting clause.

15 The question being on Sen. Rohl's motion to strike the enacting clause.

16 And the roll being called:

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

18 Yeas: Crabtree, Davis, Deibert, Duhamel, Kolbeck (Steve), Larson, Miskimins, Otten, Reed,
19 Rohl, Sauder, Schoenfish, Smith, Vilhauer, Wheeler, and Zikmund

20 Nays: Beal, Blanc, Carley, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr, Lapka, Marty,
21 Mehlhaff, Nelson, Perry, Peterson (Sue), Voight, and Voita

22 Excused: Foster and Pischke

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

25 Sen. Wheeler moved that **HB 1239** be amended as follows:

26 1239A

27 On page 1, line 1, of the Introduced bill, delete " affirmative defenses to dissemination of
28 material harmful to minors and obscenity offenses" and insert " provisions related to the restriction
29 of access to obscene materials in a public library or public school library"

30 On the Introduced bill, delete everything after the enacting clause and insert:

31 "

32 **Section 1. That § 22-24-55 be AMENDED:**

33 **22-24-55.** Each public school in the state shall:

- 1 (1) Equip each public access computer with software that will limit minors' ability to gain
2 access to obscene matter or materials, as defined by § 22-24-27, or purchase internet
3 connectivity from an internet service provider that provides filter services to limit access
4 to obscene materials; and
- 5 (2) Develop and implement, by January 1, 2025, a local policy that establishes measures to
6 restrict minors from accessing obscene matter or materials. The policy must allow for
7 an individual to appeal to the school board to determine whether any matter or material
8 is obscene. Any determination made by the school board as to whether any matter or
9 material is obscene is subject to judicial review in a court of competent jurisdiction. The
10 school board shall:
- 11 (a) Publish the policy on the school district's website; or
- 12 (b) Publish the policy annually in the legal newspaper designated by the school
13 board pursuant to § 13-8-10.

14 **Section 2. That § 22-24-56 be AMENDED:**

15 **22-24-56.** Each public library in the state shall:

- 16 (1) Equip each public access computer with software that will limit minors' ability to gain
17 access to obscene matter or material, as defined by § 22-24-27, or purchase internet
18 connectivity from an internet service provider that provides filter services to limit access
19 to obscene material; and
- 20 (2) Develop and implement, by January 1, 2025, a local policy that establishes measures to
21 restrict minors from accessing obscene matter or materials. The policy must allow for
22 an individual to appeal to the governing body of the public library, as defined in § 14-2-
23 27, to determine whether any matter or material is obscene. Any determination made
24 by the governing body as to whether any matter or material is obscene is subject to
25 judicial review in a court of competent jurisdiction. The public library shall:
- 26 (a) Publish the policy on the official website of the political subdivision that
27 maintains the library; or
- 28 (b) Publish the policy annually in a legal newspaper designated by the governing
29 body of the political subdivision that maintains the library pursuant to § 7-18-3
30 or 9-12-6."

31 Sen. Wheeler requested a roll call vote.

32 Which request was supported.

33 And the roll being called:

34 Yeas 18, Nays 16, Excused 1, Absent 0

35 Yeas: Crabtree, Davis, Deibert, Duhamel, Hulse, Kolbeck (Steve), Larson, Mehlhaff, Miskimins,
36 Otten, Reed, Rohl, Sauder, Schoenfish, Smith, Vilhauer, Wheeler, and Zikmund

37 Nays: Beal, Blanc, Carley, Grove, Hohn, Howard, Jensen (Kevin), Karr, Lapka, Marty, Nelson,
38 Perry, Peterson (Sue), Pischke, Voight, and Voita

39 Excused: Foster

40 So the motion having received an affirmative vote of a majority of the members present, the
41 President declared the motion prevailed.

42 The question being "Shall **HB 1239** pass as amended?"

1 And the roll being called:

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

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

7 Nays: Larson and Smith

8 Excused: Foster

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 1242:** FOR AN ACT ENTITLED, An Act to limit the amount of money that a political action
12 committee may accept from an authorized committee of a candidate for federal office.

13 Was read the second time.

14 Sen. Deibert moved that **HB 1242** be laid on the table.

15 And the roll being called:

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

17 Yeas: Blanc, Crabtree, Davis, Deibert, Duhamel, Hohn, Hulse, Jensen (Kevin), Karr,
18 Kolbeck (Steve), Lapka, Larson, Mehlhaff, Miskimins, Nelson, Otten, Perry, Reed, Rohl, Sauder,
19 Schoenfish, Smith, Vilhauer, Wheeler, and Zikmund

20 Nays: Beal, Carley, Grove, Howard, Marty, Peterson (Sue), Pischke, and Voight

21 Excused: Foster and Voita

22 So the motion having received an affirmative vote of a majority of the members-elect, the
23 President declared the motion carried and **HB 1242** was tabled.

24 **HB 1245:** FOR AN ACT ENTITLED, An Act to exempt from the state sales and use tax gross
25 receipts for certain services to a partnership.

26 Was read the second time.

27 The question being "Shall **HB 1245** pass as amended?"

28 And the roll being called:

29 Yeas 31, Nays 1, Excused 3, Absent 0

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

33 Nays: Pischke

34 Excused: Foster, Rohl, and Voita

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

3 **HB 1249:** FOR AN ACT ENTITLED, An Act to protect landowners from the use of deception,
4 fraud, harassment, intimidation, misrepresentation, or threat, in acquiring easements or easement
5 options.

6 Was read the second time.

7 The question being "Shall **HB 1249** pass as amended?"

8 And the roll being called:

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

10 Yeas: Blanc, Carley, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr, Lapka, Marty, Nelson,
11 Otten, Perry, Peterson (Sue), Pischke, Voight, and Voita

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

14 Excused: Foster and Rohl

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

17 Sen. Hohn announced her intention to reconsider the vote by which **HB 1249** lost.

18 **HB 1256:** FOR AN ACT ENTITLED, An Act to require the inclusion of certain information on a
19 candidate's nominating petition or on a ballot question petition.

20 Was read the second time.

21 The question being "Shall **HB 1256** pass as amended?"

22 And the roll being called:

23 Yeas 21, Nays 12, Excused 2, Absent 0

24 Yeas: Beal, Blanc, Carley, Crabtree, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr,
25 Kolbeck (Steve), Lapka, Marty, Mehlhaff, Nelson, Otten, Perry, Peterson (Sue), Pischke, Voight, and
26 Voita

27 Nays: Davis, Deibert, Duhamel, Larson, Miskimins, Reed, Sauder, Schoenfish, Smith, Vilhauer,
28 Wheeler, and Zikmund

29 Excused: Foster and Rohl

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.

32 **HB 1259:** FOR AN ACT ENTITLED, An Act to prohibit unauthorized access to certain multi-
33 occupancy rooms.

34 Was read the second time.

1 Sen. Voita moved that **HB 1259** be amended as follows:

2 1259K

3 On page 2, line 6, of the Senate State Affairs Engrossed bill, after "quarters" insert " in each
4 facility or space owned or"

5 On page 4, line 26, of the Senate State Affairs Engrossed bill, after "Act," insert " the state or
6 a political subdivision of this state must designate, as being for the exclusive use of females or
7 males,"

8 On page 4, line 27, of the Senate State Affairs Engrossed bill, delete " a building or facility
9 owned or leased by the state or by a political subdivision of this state must be designated for the
10 exclusive use of females or males" and insert ":

11 (1) A building or facility owned by the state or by a political subdivision of this state; or

12 (2) A space leased to or occupied by the state or by a political subdivision of this state"

13 On page 4, after line 29, of the Senate State Affairs Engrossed bill, insert: "

14 **Section 8. That a NEW SECTION be added to chapter 20-13:**

15 Except as otherwise provided in section 10 of this Act, a male may not enter a changing room
16 or restroom designated exclusively for females.

17 Except as otherwise provided in section 10 of this Act, a female may not enter a changing room
18 or restroom designated exclusively for males.

19 The state or a political subdivision of the state shall take reasonable steps to prohibit a member
20 of the opposite sex from using restrooms, changing rooms, and sleeping quarters designated for the
21 exclusive use of males or females, in:

22 (1) A building or facility owned by the state or by a political subdivision of this state; or

23 (2) A space leased to or occupied by the state or by a political subdivision of this state."

24 On page 5, line 1, of the Senate State Affairs Engrossed bill, after "20-13:" delete "Except as
25 otherwise provided in section 9 of this Act, a male may not enter a changing room or restroom
26 designated exclusively for females.

27 Except as otherwise provided in section 9 of this Act, a female may not enter a changing room
28 or restroom designated exclusively for males.

29 The state or a political subdivision shall take reasonable steps to provide an individual with
30 privacy from a member of the opposite sex, in restrooms, changing rooms, and sleeping quarters
31 in any building or facility owned or operated by the state or the political subdivision.

32 "

33 On page 5, line 12, of the Senate State Affairs Engrossed bill, delete " that" and insert ", if the
34 state or political subdivision of this state"

35 On page 5, line 30, of the Senate State Affairs Engrossed bill, delete " or" and insert a comma

36 On page 5, line 30, of the Senate State Affairs Engrossed bill, after "official" insert ", or other
37 state or county employee"

38 On page 5, line 31, of the Senate State Affairs Engrossed bill, after "assistance;" delete " or"

1 On page 5, line 33, of the Senate State Affairs Engrossed bill, after "unoccupied" insert "; or
2 (7) An individual providing services or rendering aid:
3 (a) During a natural disaster or declared emergency; or
4 (b) When necessary to maintain order and safety"

5 On page 5, after line 33, of the Senate State Affairs Engrossed bill, insert: "

6 **Section 11. That a NEW SECTION be added to chapter 20-13:**

7 Neither the state nor a political subdivision of the state is liable to any person for complying
8 with sections 6 to 10, inclusive, of this Act.

9 In any lawsuit or complaint filed against the state as a result of compliance with sections 6 to
10 10, inclusive, of this Act, the attorney general shall provide legal representation to the state without
11 charge."

12 Which motion prevailed.

13 The question being "Shall **HB 1259** pass as amended?"

14 And the roll being called:

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

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

19 Nays: Larson, Miskimins, Reed, Sauder, Smith, and Wheeler

20 Excused: Foster and Rohl

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 **HJR 5003:** A JOINT RESOLUTION, Proposing and submitting to the voters at the next general
24 election an amendment to the Constitution of the State of South Dakota, requiring that a
25 constitutional amendment receive an affirmative vote of sixty percent of the votes cast before the
26 measure is enacted.

27 Was read the second time.

28 Sen. Mehlhaff moved that **HJR 5003** be amended as follows:

29 HJR5003D

30 On page 1, line 3, of the House State Affairs Engrossed resolution, after "of" insert " at least"

31 On page 1, line 14, of the House State Affairs Engrossed resolution, after "of" insert " at least"

32 On page 1, after line 16, of the House State Affairs Engrossed resolution, insert: "

33 **Section 3.** This amendment becomes a part of the Constitution only if approved by an
34 affirmative vote of at least sixty percent of the votes cast on the question."

1 Sen. Peterson (Sue) requested a roll call vote.

2 Which request was supported.

3 And the roll being called:

4 Yeas 16, Nays 16, Excused 3, Absent 0

5 Yeas: Crabtree, Davis, Deibert, Duhamel, Hulse, Kolbeck (Steve), Larson, Mehlhaff, Miskimins,
6 Reed, Sauder, Schoenfish, Smith, Vilhauer, Wheeler, and Zikmund

7 Nays: Beal, Blanc, Carley, Grove, Hohn, Howard, Jensen (Kevin), Karr, Lapka, Marty, Nelson,
8 Otten, Perry, Peterson (Sue), Voight, and Voita

9 Excused: Foster, Pischke, and Rohl

10 So the motion not having received an affirmative vote of a majority of the members present,
11 the President declared the motion lost.

12 The question being "Shall **HJR 5003** pass as amended?"

13 And the roll being called:

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

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

18 Nays: Larson, Schoenfish, Smith, and Wheeler

19 Excused: Foster and Rohl

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 1039**: FOR AN ACT ENTITLED, An Act to amend the programs reimbursing a teacher or
23 school counselor for earning national board certification.

24 Was read the second time.

25 The question being "Shall **HB 1039** pass as amended?"

26 And the roll being called:

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

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

31 Nays: Larson and Smith

32 Excused: Foster, Pischke, and Rohl

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

1 **HB 1062:** FOR AN ACT ENTITLED, An Act to amend provisions pertaining to the maintenance
2 and publication of the statewide voter registration file.

3 Was read the second time.

4 Sen. Peterson (Sue) moved that **HB 1062** be amended as follows:

5 1062I

6 On page 2, line 5, of the House State Affairs Engrossed bill, after "any" insert " primary or
7 general"

8 On page 2, line 14, of the House State Affairs Engrossed bill, after "State" delete ". The"

9 On page 2, line 15, of the House State Affairs Engrossed bill, after "Elections" delete " Bureau
10 of Information and Telecommunications shall promulgate rules, pursuant to chapter 1-26,"

11 On page 2, line 16, of the House State Affairs Engrossed bill, after "implement" delete "
12 establishing procedures to secure the computerized system used for the voter registration file from
13 external threats that could damage the integrity of the voter registration system"

14 On page 3, line 13, of the House State Affairs Engrossed bill, after "registration;" delete " and"

15 On page 3, line 15, of the House State Affairs Engrossed bill, remove the overstrikes from "
16 and"

17 On page 3, line 16, of the House State Affairs Engrossed bill, remove the overstrikes from "(5)
18 Establishment"

19 On page 3, line 16, of the House State Affairs Engrossed bill, after "and" insert "The
20 establishment"

21 On page 3, line 16, of the House State Affairs Engrossed bill, remove the overstrikes from " of
22 fees for information provided from the statewide voter registration file"

23 On page 3, line 16, of the House State Affairs Engrossed bill, after "and" insert "not to exceed:

24 (a) One thousand dollars per paper copy of a list of the registered voters in the state;

25 (b) One hundred dollars per paper copy of a list of the registered voters in a legislative district;

26 (c) Fifty dollars per paper copy of a list of registered voters in a county or other political
27 subdivision;

28 (d) One hundred dollars per paper copy of an updated partial list that contains only changes
29 made to the list of the registered voters in the state within a year of the purchase of the complete
30 list;

31 (e) Seventy-five dollars per paper copy of an updated partial list that contains only changes
32 made to the list of the registered voters in a legislative district, county, or other political subdivision,
33 within a year of the purchase of the complete list; and

34 (f) Two hundred twenty-five dollars for an electronic data file containing a list of the registered
35 voters in the state"

36 On page 3, line 21, of the House State Affairs Engrossed bill, delete " purpose" and insert "
37 purposes"

38 On page 3, line 21, of the House State Affairs Engrossed bill, after "section" delete ", the term,
39 commercial purpose"

1 On page 3, line 21, of the House State Affairs Engrossed bill, after "purpose," insert "
2 "commercial purpose"

3 On page 3, line 22, of the House State Affairs Engrossed bill, after "activities." insert "

4 For the purposes of this section, "sold" does not include any fee charged by the secretary of
5 state for a paper copy of a list of registered voters, as provided in § 12-4-39. "

6 Which motion prevailed.

7 The question being "Shall **HB 1062** pass as amended?"

8 And the roll being called:

9 Yeas 20, Nays 12, Excused 3, Absent 0

10 Yeas: Beal, Blanc, Carley, Crabtree, Grove, Hohn, Howard, Hulse, Jensen (Kevin), Karr, Lapka,
11 Larson, Miskimins, Nelson, Perry, Peterson (Sue), Schoenfish, Smith, Voight, and Voita

12 Nays: Davis, Deibert, Duhamel, Kolbeck (Steve), Marty, Mehlhaff, Otten, Reed, Sauder,
13 Vilhauer, Wheeler, and Zikmund

14 Excused: Foster, Pischke, and Rohl

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 **HB 1135:** FOR AN ACT ENTITLED, An Act to provide opportunities for South Dakotans.

18 Was read the second time.

19 Sen. Mehlhaff moved that **HB 1135** be amended as follows:

20 1135B

21 On page 1, line 1, of the Introduced bill, after "opportunities" insert " for treatment courts"

22 On page 1, line 1, after "Dakotans" insert ", create a workgroup to study rehabilitation
23 programs, and declare an emergency"

24 On the Introduced bill, delete everything after the enacting clause and insert:

25 "

26 **Section 1. That § 16-22-3 be AMENDED:**

27 **16-22-3.** For the purposes of this chapter, a ~~drug treatment~~ court is a court supervised
28 alternative to incarceration and includes drug, driving under influence, veteran, mental health, and
29 other specialty court dockets aimed at increasing offender accountability and decreasing recidivism.

30 **Section 2. That § 16-22-4 be AMENDED:**

31 **16-22-4.** The Supreme Court may establish a ~~drug treatment~~ court program in any court that
32 has jurisdiction over criminal cases.

33 **Section 3. That a NEW SECTION be added to chapter 16-22:**

In any county where a treatment court program is established, the state's attorney or deputy state's attorney has the authority to determine which offenders, who are otherwise eligible by rules or policies of the treatment court program, may be offered the opportunity to participate in the treatment court program. The state's attorney or deputy state's attorney shall conduct a legal screening of potential offenders eligible for treatment court.

Section 4. That a NEW SECTION be added to chapter 16-22:

In any county where a treatment court program is established, the state's attorney or deputy state's attorney, a public defender or defense counsel, law enforcement, treatment providers, and the assigned court services officer shall attend and actively participate in the treatment court. This includes regularly attending staffing and court sessions, completing training on the treatment court model and best practices, reviewing and screening potential program participants, and recommending appropriate sanctions and incentives for program participants.

Section 5. The Unified Judicial System shall assemble a task force to examine the delivery and effectiveness of rehabilitation programs, including pretrial services, probation, and treatment courts in the South Dakota court system.

Section 6. The task force consists of the following:

(1) Five members appointed by the Chief Justice of the Supreme Court;

(2) Three members appointed by the Governor;

(3) Two legislators, one appointed by the speaker of the House of Representatives and one appointed by the president pro tempore of the Senate;

(4) One state's attorney;

(5) One sheriff; and

(6) One employee of the attorney general's office, appointed by the attorney general.

Section 7. The task force shall:

(1) Identify how pretrial, probation, and treatment court services are delivered in this state to those involved in the criminal justice system;

(2) Recommend ways to improve the delivery of pretrial, probation, and treatment court services;

(3) Recommend statutory changes to ensure the effective delivery of pretrial, probation, and treatment court services in the criminal justice system; and

(4) Identify potential resource needs and priorities to ensure the effective delivery of pretrial, probation, and treatment court services in the criminal justice system.

Section 8. The Unified Judicial System shall present the findings of the task force to the Governor and to the Legislature no later than December 1, 2025.

Section 9. All expenses incurred in carrying out the work of the task force must be paid out of moneys appropriated or otherwise provided to the Unified Judicial System.

Section 10. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

Which motion prevailed.

1 The question being "Shall **HB 1135** pass as amended?"

2 And the roll being called:

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

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

8 Nays: Hohn and Marty

9 Excused: Rohl

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 **COMMEMORATIONS**

13 Sen. Pischke objected to the approval of **HC 8024** pursuant to JR 6H-4.

14 The President announced that **HC 8024** was disapproved.

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

17 **COMMUNICATIONS AND PETITIONS**

18 March 10, 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 and subject to
25 your consent, I have the honor to inform you that I have reappointed Michael Luken, of Codington
26 County, Watertown, South Dakota, to the Board of Economic Development.

27 This reappointment is effective April 20, 2025, and shall continue until April 19, 2029.

28 Sincerely,
29 Larry Rhoden
30 Governor

31 The President announced the referral of the reappointment to the Committee on Commerce
32 and Energy.

1 March 10, 2025

2 Mr. President and Members of the Senate:

3 I have the honor to inform you that on March 10, 2025, I approved Senate Bill 28, and the
4 same has been deposited in the office of the Secretary of State.

5 Respectfully submitted,
6 Larry Rhoden
7 Governor

8 **REPORTS OF STANDING COMMITTEES**

9 MR. PRESIDENT:

10 The Committee on Legislative Procedure respectfully reports that **SB 28** was delivered to his
11 Excellency, the Governor, for his approval at 1:15 p.m., March 10, 2025.

12 Respectfully submitted,
13 Chris Karr, Chair

14 **MOTIONS AND RESOLUTIONS**

15 Earlier, Sen. Hohn announced her intention to reconsider the vote by which **HB 1249** lost.

16 Sen. Hohn moved that the Senate do now reconsider the vote by which **HB 1249** lost.

17 The question being on Sen. Hohn's motion to reconsider the vote by which **HB 1249** lost.

18 And the roll being called:

19 Yeas 16, Nays 18, Excused 1, Absent 0

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

22 Nays: Beal, Crabtree, Davis, Deibert, Duhamel, Hulse, Kolbeck (Steve), Larson, Mehlhaff,
23 Miskimins, Otten, Reed, Sauder, Schoenfish, Smith, Vilhauer, Wheeler, and Zikmund

24 Excused: Rohl

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

27 **SIGNING OF BILLS**

28 The President publicly read the title to

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

30 **SB 26:** FOR AN ACT ENTITLED, An Act to reduce employer contribution rates and increase the
31 administrative fee rate for reemployment assistance.

- 1 **SB 28:** FOR AN ACT ENTITLED, An Act to revise provisions relating to licensing fees and license
2 renewal dates for the practice of barbering and to declare an emergency.
- 3 **SB 32:** FOR AN ACT ENTITLED, An Act to revise amounts for licensing fees for the practice of
4 accountancy.
- 5 **SB 64:** FOR AN ACT ENTITLED, An Act to revise provisions related to the establishment of an
6 initial parole date.
- 7 **SB 75:** FOR AN ACT ENTITLED, An Act to require an indication of United States citizenship
8 status on a motor vehicle operator's license or permit, and on a nondriver identification card.
- 9 **SB 88:** FOR AN ACT ENTITLED, An Act to increase the amount of exempt proceeds when a
10 homestead is sold or divided by court order.
- 11 **SB 90:** FOR AN ACT ENTITLED, An Act to clarify provisions regarding tax deeds.
- 12 **SB 100:** FOR AN ACT ENTITLED, An Act to limit the imposition of restrictions on the carrying
13 of a concealed pistol and other items of self-defense while on the campus of a public institution of
14 higher education.
- 15 **SB 115:** FOR AN ACT ENTITLED, An Act to revise a provision related to sexual contact with a
16 child under eighteen.
- 17 **SB 131:** FOR AN ACT ENTITLED, An Act to establish an electronic system for vehicle titles.
- 18 **SB 143:** FOR AN ACT ENTITLED, An Act to modify the composition and staffing requirements
19 of the South Dakota-Ireland Trade Commission.
- 20 **SB 173:** FOR AN ACT ENTITLED, An Act to revise the process by which a recount may be
21 requested.
- 22 **SB 176:** FOR AN ACT ENTITLED, An Act to clarify the discovery procedures and powers and to
23 modify the administration of the Government Operations and Audit Committee.
- 24 **SB 215:** FOR AN ACT ENTITLED, An Act to remove the prohibition against a landowner having
25 an easement on the landowner's property.
- 26 **SJR 503:** A JOINT RESOLUTION, Proposing and submitting to the voters at the next general
27 election an amendment to the Constitution of the State of South Dakota, clarifying that an individual
28 must be a citizen of the United States to be eligible to vote.
- 29 **SJR 505:** A JOINT RESOLUTION, Proposing and submitting to the voters at the next general
30 election an amendment to the Constitution of the State of South Dakota, establishing the trust for
31 unclaimed property fund.
- 32 **HB 1008:** FOR AN ACT ENTITLED, An Act to include a hybrid facility as a facility to be regulated
33 by the Public Utilities Commission.
- 34 **HB 1012:** FOR AN ACT ENTITLED, An Act to clarify the status of the Statewide One-Call
35 Notification Board as an agency administered by the Department of Public Safety and the duties of
36 the Board.
- 37 **HB 1041:** FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions pertaining to
38 the state library and State Library Board.
- 39 **HB 1071:** FOR AN ACT ENTITLED, An Act to modify practice criteria for physician assistants.
- 40 **HB 1083:** FOR AN ACT ENTITLED, An Act to modify the requirements for obtaining an
41 agricultural processor's lien.

1 **HB 1096:** FOR AN ACT ENTITLED, An Act to prohibit eligibility for a suspended imposition of
2 sentence for certain rape offenses.

3 **HB 1114:** FOR AN ACT ENTITLED, An Act to make an appropriation for the purchasing of
4 equipment to support the South Dakota Board of Technical Education.

5 **HB 1131:** FOR AN ACT ENTITLED, An Act to make an appropriation for the restoration,
6 maintenance, and repair of the state capitol.

7 **HB 1161:** FOR AN ACT ENTITLED, An Act to allow additional forms to verify military service
8 for a veteran designation on a commercial driver license or commercial learner's permit.

9 **HB 1188:** FOR AN ACT ENTITLED, An Act to allow nonresident military members to purchase
10 three-day temporary nonresident waterfowl licenses.

11 **HB 1216:** FOR AN ACT ENTITLED, An Act to modify and repeal provisions related to the
12 Legislative Research Council.

13 **HB 1238:** FOR AN ACT ENTITLED, An Act to establish protections for a veteran seeking
14 assistance in a veterans' benefit matter.

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

16 **COMMEMORATIONS**

17 **SC 820:** A LEGISLATIVE COMMEMORATION, Honoring the 2024-2025 Canton C-Hawk girls
18 wrestling team for its outstanding accomplishments.

19 Introduced by: **Senators** Jensen (Kevin) and Perry and **Representatives** Lems, Fitzgerald,
20 Moore, Muckey, and Uhre-Balk

21 Sen. Foster moved that the Senate do now adjourn, which motion prevailed and at 6:02 p.m.
22 the Senate adjourned.

23 Peggy Laurenz, Secretary