

# *JOURNAL OF THE SENATE*

## *NINETY-FIFTH SESSION*

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THIRTY-FIRST DAY

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STATE OF SOUTH DAKOTA  
Senate Chamber, Pierre  
Wednesday, March 04, 2020

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

The prayer was offered by the Chaplain, Pastor Craig Wexler, followed by the Pledge of Allegiance led by Senate page Taylor Storbakken.

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 thirtieth 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,  
Brock L. Greenfield, Chair

Which motion prevailed.

1

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**REPORTS OF STANDING COMMITTEES**

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2 MR. PRESIDENT:

3 The Committee on Senate Military and Veterans Affairs respectfully reports that it has had  
4 under consideration **HB 1069 and 1077** and returns the same with the recommendation that said  
5 bills do pass, and having been certified as uncontested, be placed on the consent calendar.

6 Also MR. PRESIDENT:

7 The Committee on Senate Military and Veterans Affairs respectfully reports that it has had  
8 under consideration **SR 702, and HCR 6016 and 6017** and returns the same with the  
9 recommendation that said resolutions be adopted.

10

Respectfully submitted,

11

Jim Bolin, Chair

12 MR. PRESIDENT:

13 The Committee on Senate Transportation respectfully reports that it has had under  
14 consideration **HB 1154 and 1264** and returns the same with the recommendation that said bills  
15 do pass, and having been certified as uncontested, be placed on the consent calendar.

16

Respectfully submitted,

17

Ernie Otten, Chair

18 MR. PRESIDENT:

19 The Committee on Senate Judiciary respectfully reports that it has had under consideration  
20 **HB 1117** and returns the same with the recommendation that said bill do pass.

21

Respectfully submitted,

22

Lance Russell, Chair

23 MR. PRESIDENT:

24 The Committee on Senate State Affairs respectfully reports that it has had under consideration  
25 **HB 1001, 1003, and 1266, which was reconsidered** which were tabled.

26 Also MR. PRESIDENT:

27 The Committee on Senate State Affairs respectfully reports that it has had under consideration  
28 **HB 1002** and returns the same with the recommendation that said bill be amended as follows:

29

1002D

30 On page 1, line 22, of the Introduced bill, after "delay--Waiver." delete "Section 4. That § 2-  
31 7-11 be REPEALED.

32 2-7-11. "

33 On page 2, line 1, of the Introduced bill, after "2-7-11. " delete "Time of delivery of permanent  
34 journals--Distribution and price. "

35 On page 2, after line 1, of the Introduced bill, insert "

**Section 1.** That § 2-7-11 be AMENDED:

2-7-11. Index and distribution of journals.

~~The contractor for printing Legislative Research Council shall prepare and include the journal indexes of the Legislature shall deliver them to the Legislative Research Council within ninety days after copy therefor has been furnished. The Legislative Research Council shall provide for the electronic distribution of the daily journals. Price and distribution of the journal indexes shall be determined by a joint select committee of the Legislature at least two hours before the convening of the Legislature on the next legislative day.~~

"

On page 2, line 20, of the Introduced bill, after "before " insert "final disposition is taken on "

On page 2, line 20, of the Introduced bill, after "amendment " delete "is considered "

On page 3, after line 2, of the Introduced bill, insert "

**Section 2.** That § 2-16-10.2 be AMENDED:

2-16-10.2. South Dakota Codified Laws provided to Legislature--Codified Laws and Administrative Rules provided to legislators.

The Code Commission shall provide the Legislature with sets of the South Dakota Codified Laws. The Code Commission may provide each legislator with a copy of the South Dakota Codified Laws, the Administrative Rules of South Dakota and other information on a CD-ROM disc or other digital format. ~~An individual legislator may request one copy of the code identified in § 2-16-13.~~

"

1002F

On amendment (1002D),

On page 3, line 16, delete "on a CD-ROM disc or other" and insert " in a"

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

Also MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **HB 1266, which was reconsidered** and returns the same with the recommendation that said bill be amended as follows:

1266A

On page 1, line 1, of the Introduced bill, delete "prohibit collective bargaining by employees of the Board of Regents" and insert " enhance education in South Dakota"

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

"

**Section 3.** Education in South Dakota is hereby enhanced.

"

1 And that as so amended, said bill do pass.

2 Also MR. PRESIDENT:

3 The Committee on Senate State Affairs respectfully reports that it has had under consideration  
4 **HB 1277** and returns the same with the recommendation that said bill be amended as follows:

5 1277G

6 On page 1, line 7, of the House State Affairs bill, delete "No " and insert "In the absence of a  
7 contract authorized under this section or a contract executed prior to July 1, 2020 that is neither  
8 prohibited by federal law nor avoided, rescinded, unlawful or void under the provisions of title 53,  
9 no "

10 On page 1, line 7, of the House State Affairs bill, after "face " insert "or likeness "

11 On page 1, line 8, of the House State Affairs bill, delete "may " and insert "has the right to "

12 On page 1, line 9, of the House State Affairs bill, delete ". With the exception of a contract  
13 authorized under this section, the" and insert ", and this"

14 On page 1, line 10, of the House State Affairs bill, after "right" delete " of the person to receive  
15 revenue under this section"

16 On page 1, line 19, of the House State Affairs bill, after "assign " delete "her right to receive "

17 On page 1, line 19, of the House State Affairs bill, delete "the " and insert "that person's right  
18 to "

19 On page 1, line 19, of the House State Affairs bill, after "revenue " delete "she is entitled to  
20 receive under this section "

21 On page 1, line 24, of the House State Affairs bill, after "face " insert "or likeness "

22 On page 1, line 25, of the House State Affairs bill, delete " violates the person's rights under"  
23 and insert " receives or attempts to receive revenue in violation of"

24 On page 2, line 2, of the House State Affairs bill, after "dollars;" insert " and"

25 On page 2, line 3, of the House State Affairs bill, delete "Attorney " and insert "Attorney's "

26 On page 2, line 3, of the House State Affairs bill, after "fees" insert ", costs, and disbursements  
27 as allowed by § 15-6-54(d)"

28 On page 2, line 4, of the House State Affairs bill, delete "Costs and disbursements" and insert  
29 "Punitive damages"

30 On page 2, line 4, of the House State Affairs bill, delete "law" and insert " § 21-3-2"

31 On page 2, line 4, of the House State Affairs bill, after "law. " insert "

32 In an action brought under this section, the court may grant additional relief, including  
33 injunctive relief and declaratory relief.

34 This section does not affect a right or remedy available under law of this state other than this  
35 section."

36 On page 2, after line 4, of the House State Affairs bill, insert "

**Section 4.** That a NEW SECTION be added:

22-24-69.1. Plaintiff privacy.

In an action under § 22-24-69:

(1) The court may exclude or redact from all pleadings and documents filed in the action other identifying characteristics of the plaintiff under § 15-15-11;

(2) A plaintiff to whom paragraph (1) applies shall file with the court and serve on the defendant a confidential information form that includes the excluded or redacted plaintiff's name and other identifying characteristics; and

(3) The court may make further orders as necessary to protect the identity and privacy of a plaintiff.

"

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

Also MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **HB 1004** which was deferred to the 41st Legislative Day.

Respectfully submitted,  
Bob Ewing, Chair

MR. PRESIDENT:

The Committee on Senate Taxation respectfully reports that it has had under consideration **HB 1259** and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,  
Jeff Monroe, Chair

Mr. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **SB 5, 16, 37, 65, 74, 80, 147, 162, and 176, and SJR 501** and finds the same correctly enrolled.

Respectfully submitted,  
Brock L. Greenfield, Chair

## MESSAGES FROM THE HOUSE

Mr. PRESIDENT:

I have the honor to return herewith **SB 5, 16, 37, 65, 74, 80, 147, 162, 176, and SJR 501** which have passed the House without change.

Also Mr. PRESIDENT:

I have the honor to return herewith **SB 146** which has been amended by the House and your concurrence in the amendments is respectfully requested.

Respectfully,  
Mary Lou Goehring, Chief Clerk

## MOTIONS AND RESOLUTIONS

Sen. V. J. Smith moved that the Senate do concur in House amendments to **SB 75**.

The question being on Sen. V. J. Smith's motion that the Senate do concur in House amendments to **SB 75**.

And the roll being called:

Yeas 30, Nays 4, Excused 1, Absent 0

Yeas:

Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert, Klumb, Kolbeck, Lake, Langer, Maher, Nesiba, Novstrup, Partridge, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and Youngberg

Nays:

Phil Jensen, Kennedy, Monroe, and Russell

Excused:

Ernie Otten

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

**HCR 6003:** A CONCURRENT RESOLUTION, Supporting the Electoral College.

Was read the second time.

Sen. Brock Greenfield moved that **HCR 6003** as found on page 60 of House Journal be concurred in as amended.

The question being on Sen. Brock Greenfield's motion that **HCR 6003** be concurred in as amended.

And the roll being called:

Yeas 31, Nays 3, Excused 1, Absent 0

Yeas:

Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Phil Jensen, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Partridge, Rusch, Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, and Youngberg

Nays:

Heinert, Kennedy, and Wismer

1 Excused:  
2 Ernie Otten

3 So the motion having received an affirmative vote of a majority of the members-elect, the  
4 President declared the motion carried and **HCR 6003** was concurred in as amended.

5 **HCR 6005:** A CONCURRENT RESOLUTION, Commending the nation of Israel for its cordial and  
6 mutually beneficial relationship with the United States and with the State of South Dakota.

7 Was read the second time.

8 Sen. Bolin moved that **HCR 6005** be amended as follows:

9 HCR6005G

10 On page 2, line 2, of the Senate State Affairs bill, after "vehicles " delete "for spreading anti-  
11 Semitism and "

12 On page 2, line 15, of the Senate State Affairs bill, delete "recognize " and insert "recognizes  
13 "

14 Which motion prevailed.

15 Sen. Bolin moved that **HCR 6005** as found on page 112 of House Journal be concurred in as  
16 amended.

17 And the roll being called:

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

19 Yeas:  
20 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Brock Greenfield, Heinert, Phil  
21 Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Novstrup, Partridge, Rusch,  
22 Russell, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and  
23 Youngberg

24 Nays:  
25 Foster, Nesiba, and Schoenbeck

26 Excused:  
27 Ernie Otten

28 So the motion having received an affirmative vote of a majority of the members-elect, the  
29 President declared the motion carried and **HCR 6005** was concurred in as amended.

30 **HCR 6012:** A CONCURRENT RESOLUTION, Supporting the right to pray.

31 Was read the second time.

32 Sen. Ewing moved that **HCR 6012** as found on page 206 of House Journal be concurred in as  
33 amended.

34 The question being on Sen. Ewing's motion that **HCR 6012** be concurred in as amended.

35 And the roll being called:

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

1 Yeas:  
2 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,  
3 Phil Jensen, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Partridge, Rusch,  
4 Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik,  
5 Wismer, and Youngberg

6 Nays:  
7 Kennedy

8 Excused:  
9 Ernie Otten

10 So the motion having received an affirmative vote of a majority of the members-elect, the  
11 President declared the motion carried and **HCR 6012** was concurred in as amended.

12 The question being on the title.

13 Sen. Bolin moved that the title to **HCR 6012** amended as follows:

14 HCR6012D

15 On page 1, line 1, of the Senate State Affairs bill, after "pray" delete " in public schools"

16 Which motion prevailed and the title was so amended.

17 **HCR 6004: A CONCURRENT RESOLUTION**, To create a task force for the purpose of reviewing  
18 the manner in which mental health services are delivered in this state and considering changes to  
19 existing models or alternative models that could be utilized for the delivery of mental health services  
20 on a regional basis in this state.

21 Was read the second time.

22 Sen. Steinhauer moved that **HCR 6004** as found on page 96 of House Journal be concurred  
23 in.

24 The question being on Sen. Steinhauer's motion that **HCR 6004** be concurred in.

25 And the roll being called:

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

27 Yeas:  
28 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,  
29 Phil Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Partridge,  
30 Rusch, Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White,  
31 Wiik, Wismer, and Youngberg

32 Excused:  
33 Ernie Otten

34 So the motion having received an affirmative vote of a majority of the members-elect, the  
35 President declared the motion carried and **HCR 6004** was concurred in.



**HCR 6014:** A CONCURRENT RESOLUTION, To encourage the Department of Game, Fish and Parks in 2020, as part of the biennial review of endangered and threatened species, to delist the river otter and manage this species as a harvested furbearer if scientifically-sound biological and ecological data support such a decision.

Was read the second time.

Sen. Blare moved that **HCR 6014** as found on page 311 of House Journal be concurred in.

The question being on Sen. Blare's motion that **HCR 6014** be concurred in.

And the roll being called:

Yeas 32, Nays 3, Excused 0, Absent 0

Yeas:

Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Brock Greenfield, Phil Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Rusch, Russell, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and Youngberg

Nays:

Foster, Heinert, and Soholt

So the motion having received an affirmative vote of a majority of the members-elect, the President declared the motion carried and **HCR 6014** was concurred in.

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

## REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Senate Judiciary respectfully reports that it has had under consideration **HB 1207** and returns the same with the recommendation that said bill do pass.

Also MR. PRESIDENT:

The Committee on Senate Judiciary respectfully reports that it has had under consideration **HB 1089, 1103, 1108, 1123, and 1138** and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,  
Lance Russell, Chair

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**CONSIDERATION OF REPORTS OF COMMITTEES**

Sen. Langer moved that the reports of the Standing Committees on Joint Appropriations on **SB 17** as found on page 396 of the Senate Journal; also Judiciary on **HB 1067** as found on page 397 of the Senate Journal be adopted. Which motion prevailed and the reports were adopted.

**SECOND READING OF CONSENT CALENDAR ITEMS**

Sen. Bolin requested that **HCR 6015** be removed from the Consent Calendar.

Sen. Kolbeck requested that **HB 1068** be removed from the Consent Calendar.

Sen. Langer requested that **HB 1107** be removed from the Consent Calendar.

Sen. Langer requested that **HB 1195** be removed from the Consent Calendar.

**HB 1110:** FOR AN ACT ENTITLED, An Act to provide for a uniform template to be used by each state agency in the conduct of performance management reviews.

**HB 1255:** FOR AN ACT ENTITLED, An Act to remove the requirement for a mandatory appraisal in exchanges of land between school districts.

**HCR 6011:** A CONCURRENT RESOLUTION, Supporting the Recovering America's Wildlife Act.

Were read the second time.

The question being "Shall **HB 1110** pass as amended, and **HB 1255** pass, and **HCR 6011** be concurred in?"

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

Yeas:

Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert, Phil Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Rusch, Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and Youngberg

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

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

**SB 40:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the construction of an Allied Health Facility and the demolition of Julian Hall and the Julian Hall Addition to the University of South Dakota, to make an appropriation therefor, and to declare an emergency.

1 Was read the second time.

2 The question being "Shall **SB 40** pass as amended?"

3 And the roll being called:

4 Yeas 32, Nays 3, Excused 0, Absent 0

5 Yeas:

6 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,  
7 Kennedy, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Rusch,  
8 Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and  
9 Youngberg

10 Nays:

11 Phil Jensen, Klumb, and Russell

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

14 **SB 17: FOR AN ACT ENTITLED, An Act to make an appropriation for the plugging and surface**  
15 **reclamation of natural gas wells and to declare an emergency.**

16 Was read the second time.

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

18 And the roll being called:

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

20 Yeas:

21 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,  
22 Phil Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten,  
23 Partridge, Rusch, Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton,  
24 White, Wiik, and Wismer

25 Excused:

26 Youngberg

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 118: FOR AN ACT ENTITLED, An Act to revise certain educational programs and promote**  
30 **efficiency in state government and to make an appropriation therefor.**

31 Was read the second time.

32 Sen. Wiik moved that **SB 118** be laid on the table.

33 The question being on Sen. Wiik's motion that **SB 118** be laid on the table.

34 And the roll being called:

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

1 Yeas:  
2 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,  
3 Phil Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten,  
4 Partridge, Rusch, Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton,  
5 White, Wiik, and Wismer

6 Excused:  
7 Youngberg

8 So the motion having received an affirmative vote of a majority of the members-elect, the  
9 President declared the motion carried and **SB 118** was tabled.

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

11 **HB 1166:** FOR AN ACT ENTITLED, An Act to revise provisions regarding the appointment of  
12 inactive watershed district boards and the reactivation of watershed districts and to declare an  
13 emergency.

14 Was read the second time.

15 The question being "Shall **HB 1166** pass as amended?"

16 And the roll being called:

17 Yeas 35, Nays 0, Excused 0, Absent 0

18 Yeas:  
19 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,  
20 Phil Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten,  
21 Partridge, Rusch, Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton,  
22 White, Wiik, Wismer, and Youngberg

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 **HB 1054:** FOR AN ACT ENTITLED, An Act to revise the documentation required for voter  
26 registration.

27 Was read the second time.

28 The question being "Shall **HB 1054** pass as amended?"

29 And the roll being called:

30 Yeas 35, Nays 0, Excused 0, Absent 0

31 Yeas:  
32 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,  
33 Phil Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten,  
34 Partridge, Rusch, Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton,  
35 White, Wiik, Wismer, and Youngberg

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

**HB 1094:** FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding permits for concealed pistols.

Was read the second time.

The question being "Shall **HB 1094** pass?"

And the roll being called:

Yeas 33, Nays 2, Excused 0, Absent 0

Yeas:

Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert, Phil Jensen, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Rusch, Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, and Youngberg

Nays:

Kennedy and Wismer

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.

**HB 1169:** FOR AN ACT ENTITLED, An Act to prohibit the use of certain electronic devices while driving.

Was read the second time.

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

And the roll being called:

Yeas 24, Nays 11, Excused 0, Absent 0

Yeas:

Blare, Bolin, Cammack, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert, Kennedy, Lake, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Rusch, Schoenfish, V. J. Smith, Soholt, Steinhauer, White, Wismer, and Youngberg

Nays:

Castleberry, Phil Jensen, Klumb, Kolbeck, Langer, Maher, Russell, Schoenbeck, Stalzer, Sutton, and Wiik

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.

**HB 1179:** FOR AN ACT ENTITLED, An Act to authorize series limited liability companies.

Was read the second time.

The question being "Shall **HB 1179** pass?"

And the roll being called:

Yeas 30, Nays 4, Excused 1, Absent 0

1 Yeas:  
2 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,  
3 Phil Jensen, Klumb, Lake, Langer, Maher, Monroe, Novstrup, Ernie Otten, Partridge, Rusch, Russell,  
4 Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, White, Wiik, and Youngberg

5 Nays:  
6 Kennedy, Kolbeck, Nesiba, and Wismer

7 Excused:  
8 Soholt

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

11 **HB 1184:** FOR AN ACT ENTITLED, An Act to provide limited deer and antelope licenses to  
12 landowners.

13 Was read the second time.

14 The question being "Shall **HB 1184** pass as amended?"

15 And the roll being called:

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

17 Yeas:  
18 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Brock Greenfield, Phil Jensen,  
19 Klumb, Kolbeck, Lake, Langer, Maher, Novstrup, Partridge, Rusch, Russell, Schoenfish, V. J. Smith,  
20 Steinhauer, Sutton, Wiik, and Youngberg

21 Nays:  
22 Foster, Heinert, Kennedy, Monroe, Nesiba, Ernie Otten, Schoenbeck, Soholt, Stalzer, White,  
23 and Wismer

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

26 **HB 1065:** FOR AN ACT ENTITLED, An Act to revise drone surveillance protections.

27 Was read the second time.

28 Sen. Rusch moved that **HB 1065** be amended as follows:

29 1065I

30 On page 1, line 24, of the Senate Judiciary bill, after "purposes" insert " who unintentionally  
31 or incidentally photographs, records, or otherwise observes another person in a private place"

32 Which motion prevailed.

33 The question being "Shall **HB 1065** pass as amended?"

34 And the roll being called:

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

1 Yeas:  
2 Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,  
3 Phil Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten,  
4 Partridge, Rusch, Russell, Schoenbeck, Schoenfish, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik,  
5 Wismer, and Youngberg

6 Excused:  
7 V. J. Smith

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 **SIGNING OF BILLS**

11 The President publicly read the title to

12 **SB 5:** FOR AN ACT ENTITLED, An Act to provide immunity for qualified mental health  
13 professionals at appropriate regional facilities.

14 **SB 16:** FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse certain health  
15 care professionals who have complied with the requirements for certain health care recruitment  
16 assistance programs and to declare an emergency.

17 **SB 37:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to disasters  
18 in the state and to declare an emergency.

19 **SB 65:** FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to trusts.

20 **SB 74:** FOR AN ACT ENTITLED, An Act to revise provisions regarding legislative candidates.

21 **SB 80:** FOR AN ACT ENTITLED, An Act to revise certain sheriff's fees and costs.

22 **SB 147:** FOR AN ACT ENTITLED, An Act to prohibit collective bargaining by certain employees  
23 of the Board of Regents.

24 **SB 162:** FOR AN ACT ENTITLED, An Act to provide limitations on the use of lighting equipment  
25 while hunting.

26 **SB 176:** FOR AN ACT ENTITLED, An Act to provide for the seizure and holding of real property  
27 as evidence.

28 **SJR 501:** A JOINT RESOLUTION, Proposing and submitting to the voters an amendment to  
29 the Constitution of the State of South Dakota, providing for wagering on sporting events and to  
30 revise provisions regarding certain municipal proceeds of gaming revenues.

31 **HB 1009:** FOR AN ACT ENTITLED, An Act to revise provisions regarding failure to comply with  
32 outpatient commitment or treatment orders.

33 **HB 1012:** FOR AN ACT ENTITLED, An Act to correct technical errors in statutory cross-  
34 references.

35 **HB 1013:** FOR AN ACT ENTITLED, An Act to correct technical errors in statutory cross-  
36 references.

37 **HB 1014:** FOR AN ACT ENTITLED, An Act to place certain substances on the controlled  
38 substances schedule and to declare an emergency.

**HB 1025:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding plugging and performance bonds for oil and gas wells.

**HB 1070:** FOR AN ACT ENTITLED, An Act to modify requirements regarding the installation and inspection of certain electrical wiring.

**HB 1073:** FOR AN ACT ENTITLED, An Act to authorize special event alcohol licenses for full-service restaurant licensees.

**HB 1095:** FOR AN ACT ENTITLED, An Act to revise requirements regarding hunting mentors.

**HB 1112:** FOR AN ACT ENTITLED, An Act to authorize the hiring of law enforcement officers by the South Dakota State Brand Board and to declare an emergency.

**HB 1125:** FOR AN ACT ENTITLED, An Act to revise conditions for selling non-temperature-controlled baked goods without license.

**HB 1175:** FOR AN ACT ENTITLED, An Act to define dyslexia for the purposes of special education and related services.

**HB 1181:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding bounties for coyotes.

**HB 1257:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding hunting, fishing, or trapping on private property without permission.

And signed the same in the presence of the Senate.

## COMMEMORATIONS

**SC 819:** A LEGISLATIVE COMMEMORATION, Honoring Pete Roberts for being named Noel Olson Volunteer of the Year.

**Introduced by: Senator** Ernie Otten **and Representative** Herman Otten

**SC 820:** A LEGISLATIVE COMMEMORATION, Honoring Tea choir students who were selected to Senior Honor Choir.

**Introduced by: Senator** Ernie Otten **and Representative** Herman Otten

**SC 821:** A LEGISLATIVE COMMEMORATION, Honoring the Tea Area girls and boys soccer teams.

**Introduced by: Senator** Ernie Otten **and Representative** Herman Otten

**SC 822:** A LEGISLATIVE COMMEMORATION, Honoring the Tea Area boys track and field team.

**Introduced by: Senator** Ernie Otten **and Representative** Herman Otten



**SC 823:** A LEGISLATIVE COMMEMORATION, Honoring Mr. E.O. Lawrence for his achievements and accomplishments throughout his life and career, and encourage our schools to recognize his achievements, and encourage other recognitions of his life and achievements as deemed appropriate by the state of South Dakota.

**Introduced by: Senators** Bolin and Wiik **and Representatives** Anderson, Chaffee, and Kevin Jensen

**SC 824:** A LEGISLATIVE COMMEMORATION, Honoring the 2019-2020 Canton C-Hawk High School wrestling team for its outstanding accomplishments.

**Introduced by: Senator** Bolin

**SC 825:** A LEGISLATIVE COMMEMORATION, Honoring the Deuel County High School Gymnastics Team for winning the 2020 State A Gymnastics Championship.

**Introduced by: Senator** Wiik **and Representatives** Deutsch and Mills

**SC 826:** A LEGISLATIVE COMMEMORATION, Honoring Johnson Farms as the 2019 Leopold Conservation Award recipient.

**Introduced by: Senator** Brock Greenfield

Were read the first time.

Sen. Bolin moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on Thursday, March 5, 2020, the 32<sup>nd</sup> legislative day.

Which motion prevailed.

Sen. Rusch moved that the Senate do now adjourn, which motion prevailed and at 4:04 p.m. the Senate adjourned.

Kay Johnson, Secretary

