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

The prayer was offered by the Chaplain, Pastor Sam Handschke, followed by the Pledge of Allegiance led by Senate pages Allison Horkey and Connor Langbehn.

Roll Call: All members present except Sen. Phil Jensen who was excused.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

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

Allison Horkey, Connor Langbehn, Gabriel Nelson, Jacey Orthaus, Jayme Peterson, Maggie Peterson, Caleigh Sanchez, and Josie Weber.

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

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration HCR 6020 and returns the same with the recommendation that said resolution do pass.

Respectfully submitted,
Bob Ewing, Chair

Mr. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 1, 4, 21, 24, 113, 128, 137, 146, 150, 155, 160, 161, 181, and 183 and finds the same correctly enrolled.

Respectfully submitted,
Brock L. Greenfield, Chair

Mr. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that SB 5, 16, 37, 65, 74, 80, 147, 162, and 176 were delivered to her Excellency, the Governor, for her approval at 8:25 a.m., March 9, 2020.

Respectfully submitted,
Brock L. Greenfield, Chair

Mr. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that SJR 501 was delivered to his Excellency, the Secretary of State, for filing at 8:25 a.m., March 9, 2020.

Respectfully submitted,
Brock L. Greenfield, Chair

MESSAGES FROM THE HOUSE

Mr. PRESIDENT:

I have the honor to return herewith SB 1, 4, 21, 24, 113, 128, 137, 150, 155, 160, 161, 181, and 183 which have passed the House without change.
Also Mr. President:

I have the honor to return herewith SB 186 which has been amended by the House and your concurrence in the amendments is respectfully requested.

Also Mr. President:

I have the honor to return herewith SCR 603 in which the House has concurred.

Respectfully,

Mary Lou Goehring, Chief Clerk

Sen. Langer moved that Senate do now recess until 1:30 p.m.

Which motion prevailed and at 11:18 a.m., the Senate recessed.

RECESS

The Senate reconvened at 1:30 p.m., the President presiding.

MOTIONS AND RESOLUTIONS

Sen. Bolin moved that the Senate do concur in House amendments to SB 167.

The question being on Sen. Bolin's motion that the Senate do concur in House amendments to SB 167.

And the roll being called:

Yeas 33, Nays 1, Excused 1, Absent 0

Yeas:

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

Nays:

Russell

Excused:

Phil Jensen

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

Sen. Partridge moved that the Senate do concur in House amendments to SB 148.

The question being on Sen. Partridge's motion that the Senate do concur in House amendments to SB 148.
And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Phil Jensen

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

Sen. Brock Greenfield moved that the Senate do concur in House amendments to **SB 142**.

The question being on Sen. Brock Greenfield's motion that the Senate do concur in House amendments to **SB 142**.

And the roll being called:

Yeas 33, Nays 1, Excused 1, Absent 0

Yeas:

Nays:
Wismer

Excused:
Phil Jensen

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

**HCR 6023**: A CONCURRENT RESOLUTION, To encourage the Executive Board of the Legislature to create an interim legislative study to address the mental health of first responders.

Was read the second time.

Sen. Kolbeck moved that **HCR 6023** as found on page 397 of the House Journal be concurred in.

The question being on Sen. Kolbeck's motion that **HCR 6023** be concurred in.

And the roll being called:

Yeas 33, Nays 0, Excused 2, Absent 0

Yeas:
Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge,
Sen. Langer moved that the joint rules be suspended for the sole purpose of waiving committee assignment and placing HB 1187 and HB 1189 on the second reading calendar.

The question being on Sen. Langer’s motion that the rules be suspended for the sole purpose of waiving committee assignment and placing HB 1187 and HB 1189 on the second reading calendar.

And the roll being called:

Yea 33, Nay 1, Excused 1, Absent 0

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

Nays:
Russell

Excused:
Phil Jensen

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

Sen. Langer moved that HB 1008, 1046, 1100, 1233, and 1266 be placed to follow HB 1090 on today’s calendar.

Which motion prevailed.
CONSIDERATION OF REPORTS OF COMMITTEES

Sen. Langer moved that the reports of the Standing Committees on

Judiciary on HB 1088 as found on page 429 of the Senate Journal; also
Judiciary on HB 1092 as found on page 430 of the Senate Journal; also
Judiciary on HB 1140 as found on page 432 of the Senate Journal; also
Judiciary on HB 1206 as found on page 432 of the Senate Journal; also
Commerce and Energy on HB 1199 as found on page 427 of the Senate Journal; also
Commerce and Energy on HB 1216 as found on page 429 of the Senate Journal; also
Education on HB 1228 as found on page 444 of the Senate Journal; also
Education on HB 1213 as found on page 442 of the Senate Journal; also
Education on HCR 6019 as found on page 445 of the Senate Journal be adopted.
Which motion prevailed and the reports were adopted.

CONSIDERATION OF EXECUTIVE APPOINTMENTS

The Senate proceeded to the consideration of the executive appointment of Peter Lieberman
of Minnehaha County, Sioux Falls, South Dakota, to the Board of Pardons and Paroles.
The question being "Does the Senate advise and consent to the executive appointment of Peter
Lieberman pursuant to the executive message as found on page 378 of the Senate Journal?"
And the roll being called:
Yeas 34, Nays 0, Excused 1, Absent 0
Yeas:

   Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert,
   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

Excused:
   Phil Jensen

So the question having received an affirmative vote of a majority of the members-elect, the
President declared the appointment confirmed.
CONSIDERATION OF CONSENT EXECUTIVE APPOINTMENTS

The Senate proceeded to the consideration of the executive appointments of Julie Westra of Lincoln County, Sioux Falls, South Dakota, to the South Dakota Board of Education Standards (SJ 128), and Phyllis Heineman of Minnehaha County, Sioux Falls, South Dakota, to the South Dakota Board of Education Standards (SJ 240), and The executive reappointments of Patricia White Horse Carda of Charles Mix County, Wagner, South Dakota, to the Board of Pardons and Paroles (SJ 378), and Russell Olson of Lake County, Wentworth, South Dakota, to the Game, Fish and Parks Commission (SJ 240).

The question being "Does the Senate advise and consent to the executive appointments of Julie Westra and Phyllis Heineman, and the executive reappointments of Patricia White Horse Carda and Russell Olson?"

And the roll being called:

Yeas 31, Nays 3, Excused 1, Absent 0


Nays: Heinert, Kennedy, and Wismer

Excused: Phil Jensen

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

SECOND READING OF CONSENT CALENDAR ITEMS

Sen. Schoenbeck requested that HB 1277 be removed from the Consent Calendar.

HB 1002: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding documents of the Legislature.

HB 1088: FOR AN ACT ENTITLED, An Act to create a penalty for violation of a vulnerable adult protection order and to revise certain provisions regarding protection orders.

HB 1119: FOR AN ACT ENTITLED, An Act to include certain offenses committed in another state for purposes of an enhanced penalty.

HB 1140: FOR AN ACT ENTITLED, An Act to provide for a regular review of parenting guidelines.

HB 1205: FOR AN ACT ENTITLED, An Act to revise provisions regarding a custodial parent relocating a minor child.
HB 1216: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding sexual harassment.

HB 1228: FOR AN ACT ENTITLED, An Act to include children with a hearing loss in the reporting criteria required for deaf and hard-of-hearing children.

HB 1246: FOR AN ACT ENTITLED, An Act to revise the attorney's fees allowed in a retaliation action against a lessor.

HCR 6019: A CONCURRENT RESOLUTION, Urging greater awareness and understanding of post-traumatic stress injury.

HCR 6021: A CONCURRENT RESOLUTION, Supporting the continued operation of the D.C. Booth Historic National Fish Hatchery.

HCR 6022: A CONCURRENT RESOLUTION, Urging the State Trade Office in the Governor's Office of Economic Development to promote international business and trade on behalf of South Dakota exporters.

HCR 6024: A CONCURRENT RESOLUTION, Commending automotive enthusiasts in South Dakota and the Specialty Equipment Market Association for their contributions in preserving classic automobiles and urging the Governor to declare a South Dakota Collector Car Appreciation Day this year.

Were read the second time.

The question being "Shall HB 1002, 1088, 1140, 1216, and 1228 pass as amended, and HB 1119, 1205, and 1246 pass, and HCR 6019 and 6024 be concurred in as amended, and HCR 6021 and 6022 be concurred in?"

And the roll being called:

Yeas 33, Nays 0, Excused 2, Absent 0

Yeas:

Excused:
Phil Jensen and Wiik

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

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1207: FOR AN ACT ENTITLED, An Act to extend the termination date for the Juvenile Justice Public Safety Oversight Council.

Was read the second time.
The question being "Shall HB 1207 pass?"

And the roll being called:

Yeas 33, Nays 0, Excused 2, Absent 0

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

Excused:
- Phil Jensen
- 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 1092: FOR AN ACT ENTITLED, An Act to provide for an assumption of risk by any person engaged in off-road vehicle activity and to limit the liability of the renters of off-road vehicles under certain circumstances.

Was read the second time.

The question being "Shall HB 1092 pass as amended?"

And the roll being called:

Yeas 27, Nays 7, Excused 1, Absent 0

Yeas:
- Blare,
- Bolin,
- Cammack,
- Castleberry,
- Curd,
- Duhamel,
- Ewing,
- Foster,
- Brock Greenfield,
- Heinert,
- Kennedy,
- Klumb,
- Kolbeck,
- Lake,
- Langer,
- Maher,
- Ernie Otten,
- Rusch,
- Russell,
- Schoenfish,
- V. J. Smith,
- Soholt,
- Stalzer,
- Sutton,
- White,
- Wiik,
- Wismer,
- and
- Youngberg

Nays:
- Kennedy,
- Monroe,
- Nesiba,
- Novstrup,
- Partridge,
- Schoenbeck,
- and
- Steinhauer

Excused:
- Phil Jensen

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 1206: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the commitment of a delinquent child to the Department of Corrections.

Was read the second time.

The question being "Shall HB 1206 pass as amended?"

And the roll being called:

Yeas 32, Nays 2, Excused 1, Absent 0

Nays: Foster and Heinert

Excused: Phil Jensen

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 1199: FOR AN ACT ENTITLED, An Act to revise civil liability for riot and incitement to riot.

Was read the second time.

The question being "Shall HB 1199 pass as amended?"

And the roll being called:

Yeas 26, Nays 7, Excused 2, Absent 0

Yeas: Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Brock Greenfield, Klumb, Kolbeck, Lake, Monroe, Novstrup, Ernie Otten, Partridge, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, and Youngberg

Nays: Foster, Heinert, Kennedy, Maher, Nesiba, Russell, and Wismer

Excused: Phil Jensen and Langer

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 1044: FOR AN ACT ENTITLED, An Act to make an appropriation to the Board of Regents to fund the development of the Cyber Incubator and Entrepreneurial Center at Dakota State University and to declare an emergency.

Was read the second time.

The question being "Shall HB 1044 pass?"

And the roll being called:

Yeas 31, Nays 2, Excused 2, Absent 0

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

Excused:
Phil Jensen and Langer

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

**HB 1045**: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the design, renovation of, and addition to, the E.Y. Berry Library on the campus of Black Hills State University and to make an appropriation therefor.

Was read the second time.

The question being "Shall HB 1045 pass as amended?"

And the roll being called:

Yeas 32, Nays 2, Excused 1, Absent 0

Yeas:

Nays:
Maher and Monroe

Excused:
Phil Jensen

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

**HB 1227**: FOR AN ACT ENTITLED, An Act to make an appropriation for the rural veterinary medical education program and to declare an emergency.

Was read the second time.

The question being "Shall HB 1227 pass as amended?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

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

Sen. Bolin moved that **HB 1213** be placed to follow HB 1189 on today's calendar.

Which motion prevailed.

**HB 1034**: FOR AN ACT ENTITLED, An Act to make an appropriation to fund tax refunds for elderly persons and persons with a disability, and to declare an emergency.

Was read the second time.

The question being "Shall **HB 1034** pass as amended?"

And the roll being called:

Yeas 32, Nays 0, Excused 3, Absent 0

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

Excused:
Phil Jensen, Langer, and Partridge

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

**HB 1035**: FOR AN ACT ENTITLED, An Act to make an appropriation from the water and environment fund and its revolving fund subfunds for various water and environmental purposes, to revise the water resources projects list, and to declare an emergency.

Was read the second time.

The question being "Shall **HB 1035** pass?"

And the roll being called:

Yeas 33, Nays 0, Excused 2, Absent 0

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

Excused:
Phil Jensen and Langer

So the bill having received an affirmative vote of a two-thirds majority of the members-elect, the President declared the bill passed and the title was agreed to.
HB 1090: FOR AN ACT ENTITLED, An Act to make an appropriation to evaluate the feasibility of the use of telehealth services within the criminal justice system and to declare an emergency.

Was read the second time.

The question being "Shall HB 1090 pass?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Phil Jensen

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

Sen. Langer moved that Senate do now recess until 3:30 p.m.

Which motion prevailed and at 2:51 p.m., the Senate recessed.

RECESS

The Senate reconvened at 3:30 p.m., the President presiding.

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1266: FOR AN ACT ENTITLED, An Act to prohibit collective bargaining by employees of the Board of Regents.

Was read the second time.

Sen. Partridge moved that HB 1266 be amended as follows:

On page 1, line 1, of the Introduced bill, delete "prohibit collective bargaining by employees of the Board of Regents" and insert "establish the Dakota's promise scholarship program and the Dakota's promise fund"

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

"Section 1. That a NEW SECTION be added:

There is established the Dakota's promise scholarship program. The purpose of the program is to provide scholarships through the Board of Regents to eligible students to allow the students to receive an affordable education at any university or college accredited by the Higher Learning Commission and that provides instruction from a campus located in South Dakota.

Section 2. That a NEW SECTION be added:


The executive director of the Board of Regents shall:

(1) Administer the Dakota's promise scholarship program;

(2) Establish and maintain program records that are necessary and required by good accounting practices; and

(3) Track the outcomes and impact of the program and report on the outcomes and impact to the Legislature.

Section 3. That a NEW SECTION be added:

13-55-81. Eligibility for scholarship--Requirements.

In order to be eligible for a Dakota's promise scholarship, a student shall:

(1) Be a resident of South Dakota at the time of graduation from high school;

(2) Receive a Pell Grant from the United States Department of Education;

(3) Obtain a composite score or superscore of at least twenty-two on the ACT test or a comparable score on the Scholastic Aptitude Test as determined by the Board of Regents;

(4) Have a cumulative high school grade point average of 3.0 or higher on a 4.0 scale;

(5) Attend a university or college accredited by the Higher Learning Commission that provides instruction from a campus located in South Dakota; and

(6) Enroll in a minimum of twelve credit hours per semester, unless the student is in the student's final semester and requires fewer than twelve credit hours to complete the student's degree.

Section 4. That a NEW SECTION be added:

13-55-82. Maintaining eligibility.

In order to maintain eligibility for the Dakota's promise scholarship program, a student shall:

(1) Earn thirty credit hours prior to the beginning of the second year of instruction, sixty credit hours prior to the beginning of the third year of instruction, and ninety credit hours prior to the fourth year of instruction; and

(2) Maintain a cumulative grade point average of 2.0 or higher on a 4.0 scale.

If factors beyond the control of a student who has been awarded a Dakota's promise scholarship prevent the student from meeting the requirements in subdivision (1), the executive director may temporarily waive the requirement of that subdivision and allow the student to remain eligible for the Dakota's promise scholarship. A student may receive a Dakota's promise scholarship
for up to four academic years, or until the student obtains a baccalaureate degree, whichever comes first.

Section 5. That a NEW SECTION be added:


If a postsecondary institution eligible to participate in the program under § 13-55-79 accumulates funding equal to the amount of funding necessary to fund Dakota's promise scholarships for all the institution's eligible students, the institution may apply to the executive director to participate. When a scholarship is issued, the executive director may distribute funding from the Dakota's promise fund established in § 13-55-85 at the rate of one dollar from the fund for every one dollar of private funding allocated to the eligible students by the participating institution. The executive director may provide for the proration of funds if the available funds are insufficient to pay all approved scholarships.

Section 6. That a NEW SECTION be added:

13-55-84. Scholarship awards.

A participating institution shall award a Dakota's promise scholarship to an eligible student for the normal academic year, or its equivalent, in the amount of one thousand two hundred fifty dollars payable from the Dakota's promise fund and, subject to the required private match established in § 13-55-83. Under no circumstances may the award of a Dakota's promise scholarship result in an eligible student receiving more financial assistance than is necessary to cover the eligible student's tuition and fees; required books, supplies, or equipment; and room and board expenses. If a scholarship in the amount of one thousand two hundred fifty dollars would exceed an eligible student's financial need, the participating institution may award a scholarship to the student in an amount less than one thousand two hundred fifty dollars.

Section 7. That a NEW SECTION be added:


There is established in the state treasury the Dakota's promise fund for the purpose of funding the Dakota's promise scholarship program established in § 13-55-79. The fund shall consist of:

(1) Any funds appropriated by the Legislature for the purposes of §§ 13-55-79 through 13-55-87;

(2) Any gifts, grants, and donations deposited by or on behalf of an institution of higher education in this state for the purpose of providing scholarships to eligible students in accordance with §§ 13-55-79 through 13-55-87; and

(3) Any interest or income earned thereon.

Any money in the Dakota's promise fund is continuously appropriated. Any money deposited into or distributed from the fund shall be set forth in an informational budget as provided in § 4-7-7.2.

Section 8. That a NEW SECTION be added:

13-55-86. Dakota's promise funds--Acceptance and expenditures.

The executive director shall accept and expend any funds received from state or private sources as provided in § 13-55-85 if the acceptance and expenditure is approved in accordance with chapter 4-8. Expenditures authorized under this section shall be paid out on warrants drawn by the state auditor on vouchers approved by the executive director.

Section 9. That a NEW SECTION be added:

The Board of Regents may promulgate rules, pursuant to chapter 1-26, to establish the process for accepting applications, determining eligibility, and distributing funds; and to establish the process for contesting any decisions pertaining to the Dakota’s promise scholarship program.

Which motion prevailed.

The question being "Shall HB 1266 pass as amended?"

And the roll being called:

Yeas 33, Nays 1, Excused 1, Absent 0

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

Nays:
Russell

Excused:
Phil Jensen

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 1046: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the design, renovation of, and addition to, the Devereaux Library on the campus of the South Dakota School of Mines and Technology and to make an appropriation therefor.

Was read the second time.

Sen. Wiik moved that HB 1046 be amended as follows:

On page 1, line 2, of the Joint Appropriations bill, after "Library" insert "and to provide funding for the Mineral Industries Building"

On page 1, line 3, of the Joint Appropriations bill, after "Technology" insert the comma

On page 1, line 3, of the Joint Appropriations bill, after "Technology " delete "and"

On page 1, line 3, of the Joint Appropriations bill, after "therefor" insert ", and to declare an emergency"

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

Section 10. There is hereby appropriated from the general fund the sum of one million five hundred thousand dollars ($1,500,000), or so much thereof as may be necessary, to the Board of Regents for the purpose of providing funding for the mineral industries building which is to be located on the campus of the South Dakota School of Mines and Technology.
On page 2, line 16, of the Joint Appropriations bill, after "10. " insert "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.

The question being "Shall HB 1046 pass as amended?"

And the roll being called:

Yea: 34, Nay: 0, Excused: 1, Absent: 0

Yea:

Excused:
Phil Jensen

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

HB 1233: FOR AN ACT ENTITLED, An Act to make an appropriation to the gaming commission fund, to provide for the transfer of funds to the special racing revolving fund and the South Dakota-bred racing fund, and to declare an emergency.

Was read the second time.

Sen. Schoenfish moved that HB 1233 be amended as follows:

On page 1, line 5, of the Joint Appropriations bill, delete "one dollar ($1)" and insert "two dollar ($2)"

Which motion prevailed.

The question being "Shall HB 1233 pass as amended?"

And the roll being called:

Yea: 31, Nay: 3, Excused: 1, Absent: 0

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

Nay:
Novstrup, Russell, and Wiik

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

HB 1100: FOR AN ACT ENTITLED, An Act to make an appropriation to begin the research and development of a new bioprocessing facility and to declare an emergency.

Was read the second time.

Sen. Partridge moved that HB 1100 be amended as follows:

1100C

On page 1, line 4, of the Joint Appropriations bill, after "one " insert "million"

On page 1, line 4, of the Joint Appropriations bill, delete "dollar ($1)" and insert " dollars ($1,000,000)"

Which motion prevailed.

The question being "Shall HB 1100 pass as amended?"

And the roll being called:

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

Yeas:

Excused:
Phil Jensen and Youngberg

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

HB 1277: FOR AN ACT ENTITLED, An Act to prevent trafficking, coercion, and exploitation that occurs under the guise of obscene content.

Was read the second time.

The question being "Shall HB 1277 pass as amended?"

And the roll being called:

Yeas 15, Nays 19, Excused 1, Absent 0

Yeas:
Blare, Bolin, Cammack, Brock Greenfield, Klumb, Kolbeck, Lake, Monroe, Novstrup, Rusch, Russell, V. J. Smith, Stalzer, Steinhauer, and Sutton

Nays:
Castleberry, Curd, Duhamel, Ewing, Foster, Heinert, Kennedy, Langer, Maher, Nesiba, Ernie Otten, Partridge, Schoenbeck, Schoenfish, Soholt, White, Wiik, Wismer, and Youngberg
Excused:
Phil Jensen

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

**HB 1008**: FOR AN ACT ENTITLED, An Act to legalize the growth, production, and transportation of industrial hemp in the state, and to declare an emergency.

Was read the second time.

Sen. Partridge moved that **HB 1008** be amended as follows:

On page 1, line 1, of the House Agriculture and Natural Resources bill, delete "legalize the growth, production, and transportation of industrial hemp in the state, and to declare an emergency" and insert "implement a plan for hemp in South Dakota"

On the House Agriculture and Natural Resources bill, delete everything after the enacting clause and insert:

"Section 11. The State of South Dakota will implement a plan for hemp in South Dakota.

""

Which motion prevailed.

The question being "Shall **HB 1008** pass as amended?"

And the roll being called:

Yeas 25, Nays 9, Excused 1, Absent 0

Yeas: Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Foster, Brock Greenfield, Heinert, Kennedy, Kolbeck, Lake, Langer, Ernie Otten, Partridge, Rusch, Schoenfish, V. J. Smith, Soholt, Steinhauer, Sutton, White, Wismer, and Youngberg

Nays: Klumb, Maher, Monroe, Nesiba, Novstrup, Russell, Schoenbeck, Stalzer, and Wiik

Excused: Phil Jensen

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 1189**: FOR AN ACT ENTITLED, An Act to make an appropriation to expand rural access to broadband services and to declare an emergency.

Was read the second time.
The question being "Shall HB 1189 pass as amended?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Phil Jensen

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

HB 1187: FOR AN ACT ENTITLED, An Act to make an appropriation to upgrade the state radio infrastructure system and to declare an emergency.

Was read the second time.

The question being "Shall HB 1187 pass as amended?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Phil Jensen

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

HB 1213: FOR AN ACT ENTITLED, An Act to enhance education in South Dakota.

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

Sen. Wiik moved that HB 1213 be amended as follows:

On page 1, line 1, of the Senate Education bill, delete "enhance education in South Dakota" and insert "provide a transfer of funds for critical teaching needs scholarships and to declare an emergency"

On the Senate Education bill, delete everything after the enacting clause and insert:"
Section 12. On June 30, 2020, the state treasurer shall transfer from the general fund the sum of one million one hundred twenty-five thousand dollars ($1,125,000) to the education enhancement trust fund. The earnings attributable to the amount transferred must be used to increase funds available for the issuance of critical teaching needs scholarships, in accordance with chapter 13-55.

Section 13. 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.

The question being "Shall HB 1213 pass as amended?"

And the roll being called:

Yeas 33, Nays 1, Excused 1, Absent 0

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

Nays:
Russell

Excused:
Phil Jensen

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

There being no objection, the Senate reverted to Order of Business No. 7 - Messages from the House.

MESSAGES FROM THE HOUSE

Mr. PRESIDENT:

I have the honor to inform your honorable body that the House has appointed Representatives Herman Otten, Frye-Mueller, and Saba as a committee of three on the part of the House to meet with a like committee on the part of the Senate to adjust the differences between the two houses on HB 1054.
Also Mr. PRESIDENT:

I have the honor to inform your honorable body that the House has appointed Representatives Randolph, Rasmussen, and Lesmeister as a committee of three on the part of the House to meet with a like committee on the part of the Senate to adjust the differences between the two houses on **HCR 6012**.

Respectfully,

Mary Lou Goehring, Chief Clerk

ANNOUNCEMENTS

The President Pro Tempore has appointed Senators Youngberg, Brock Greenfield, and Heinert as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on **HB 1054**.

The President Pro Tempore has appointed Senators Bolin, Stalzer, and Kennedy as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on **HCR 6012**.

Senator Bolin rose to object to **SC 827** per JR 6H-4.

SIGNING OF BILLS

The President publicly read the title to

**SB 1**: FOR AN ACT ENTITLED, An Act to provide for the use of electronic communication in the involuntary commitment process and to declare an emergency.

**SB 4**: FOR AN ACT ENTITLED, An Act to provide for the designation of an appropriate regional facility by the Department of Social Services.

**SB 21**: FOR AN ACT ENTITLED, An Act to authorize temporary variable speed limits on state highways under certain circumstances.

**SB 24**: FOR AN ACT ENTITLED, An Act to revise the fees for pesticide registration, private applicator licenses, commercial applicator licenses, and pesticide dealer licenses.

**SB 113**: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding instruction permits and restricted minor’s driving permits.

**SB 128**: FOR AN ACT ENTITLED, An Act to revise entities who may contribute to a political committee.

**SB 137**: FOR AN ACT ENTITLED, An Act to revise provisions for repair, replacement, and construction of sidewalks within a municipality.

**SB 146**: FOR AN ACT ENTITLED, An Act to revise provisions related to tribal identification cards.

**SB 150**: FOR AN ACT ENTITLED, An Act to revise nonresident waterfowl licensure.

**SB 155**: FOR AN ACT ENTITLED, An Act to provide for step therapy protocol regarding certain prescription drugs.
SB 160: FOR AN ACT ENTITLED, An Act to authorize the construction and operation of a nursing home facility in Moody County, South Dakota, and to declare an emergency.

SB 161: FOR AN ACT ENTITLED, An Act to exempt certain real property from the special maintenance fee levy.

SB 181: FOR AN ACT ENTITLED, An Act to revise provisions regarding health benefit plans.

SB 183: FOR AN ACT ENTITLED, An Act to revise the signature requirements for the nominating petitions for certain elected offices.

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

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

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

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

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

And signed the same in the presence of the Senate.

Sen. Langer moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on Tuesday, March 10th, the 34th legislative day.

Which motion prevailed.

Sen. Steinhauer moved that the Senate do now adjourn, which motion prevailed and at 4:50 p.m. the Senate adjourned.

Kay Johnson, Secretary