The Senate convened at 10:00 a.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Pastor Matt Spoden, followed by the Pledge of Allegiance led by Senate pages Gabriel Nelson and Jacey Orthaus.

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 thirty-third 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.
March 9, 2020

Mr. President and Members of the Senate:

I have the honor to inform you that on March 9, 2020, I approved Senate Bill 22, and the same has been deposited in the office of the Secretary of State.

Respectfully submitted,
Kristi Noem
Governor

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 17, 20, 25, 27, 33, 35, 36, 39, 41, 42, 43, 44, 45, 46, 47, 71, 81, 89, 91, 96, 98, 119, 120, 124, 135, 136, 139, 142, 148, 149, 156, 164, 167, and 169 and finds the same correctly enrolled.

Respectfully submitted,
Brock L. Greenfield, Chair

Mr. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that SB 56, 60, 61, 75, 170, and 174 were delivered to her Excellency, the Governor, for her approval at 8:50 a.m., March 10, 2020.

Respectfully submitted,
Brock L. Greenfield, Chair

Mr. PRESIDENT:

I have the honor to return herewith SB 2, 18, 19, 26, 40, 55, 70, 73, 84, 97, 140, 151, 157, and 180 which have been amended by the House and your concurrence in the amendments is respectfully requested.

Also Mr. PRESIDENT:

I have the honor to inform your honorable body that the House has concurred in Senate amendments to HB 1065 and 1166, and HCR 6003 and 6005.

Also Mr. PRESIDENT:

I have the honor to inform your honorable body that SB 144 was lost on second reading and final passage.
Also Mr. PRESIDENT:

I have the honor to return herewith SB 17, 20, 25, 27, 33, 36, 39, 41, 42, 43, 44, 45, 46, 47, 71, 81, 89, 91, 96, 98, 119, 120, 124, 135, 136, 139, 149, 156, 164, and 169 which have passed the House without change.

Respectfully,
Mary Lou Goehring, Chief Clerk

SIGNING OF BILLS

The President publicly read the title to

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

SB 20: FOR AN ACT ENTITLED, An Act to create a monitor to review and respond to complaints related to the care provided to youth in the custody or care of certain care facilities, treatment centers, and programs.

SB 25: FOR AN ACT ENTITLED, An Act to establish certain requirements to maintain state compliance with the Master Settlement Agreement.

SB 27: FOR AN ACT ENTITLED, An Act to establish a missing persons clearinghouse.

SB 33: FOR AN ACT ENTITLED, An Act to authorize the Department of the Military to construct a storage building located in Brown County, to make an appropriation therefor, and to declare an emergency.

SB 35: FOR AN ACT ENTITLED, An Act to revise the appropriation for the State Veterans’ Cemetery and to declare an emergency.

SB 36: FOR AN ACT ENTITLED, An Act to transfer funds from the budget reserve fund and to declare an emergency.

SB 39: FOR AN ACT ENTITLED, An Act to establish the Jobs for South Dakota’s Graduates program and the special donation fund.

SB 41: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the construction of a facilities building at the University of South Dakota and to make an appropriation therefor.

SB 42: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to demolish three storage structures and contract for the construction of a grounds facility at the University of South Dakota and to make an appropriation therefor.

SB 43: FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building Authority to issue revenue bonds to provide for maintenance and repair on facilities controlled by the Board of Regents and to provide appropriation therefor.

SB 44: FOR AN ACT ENTITLED, An Act to authorize the use of crime victims’ compensation funds to reimburse law enforcement for certain emergency expenses incurred for victims.

SB 45: FOR AN ACT ENTITLED, An Act to transfer the functions of the South Dakota Value Added Finance Authority to the South Dakota Economic Development Finance Authority and the South Dakota Board of Economic Development and to abolish the South Dakota Value Added Finance Authority.
SB 46: FOR AN ACT ENTITLED, An Act to revise provisions related to the restoration to competency of criminal defendants.

SB 47: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding sex offender registration statutes.

SB 71: FOR AN ACT ENTITLED, An Act to revise the offenses for which an order for interception of communications may be granted.

SB 81: FOR AN ACT ENTITLED, An Act to establish eligibility criteria for out-of-state health institutions to receive financing from the Health and Educational Facilities Authority.

SB 89: FOR AN ACT ENTITLED, An Act to revise provisions regarding victim's rights.

SB 91: FOR AN ACT ENTITLED, An Act to revise provisions regarding the salary for state's attorneys.

SB 96: FOR AN ACT ENTITLED, An Act to prohibit the denial of benefits based solely on a controlled substance felony.

SB 98: FOR AN ACT ENTITLED, An Act to extend the notification period for possession of a concealed pistol in the state capitol.

SB 119: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding private placement insurance.

SB 120: FOR AN ACT ENTITLED, An Act to establish exceptions regarding the possession of a pistol by a minor.

SB 124: FOR AN ACT ENTITLED, An Act to revise provisions regarding group pheasant hunts for disabled veterans.

SB 135: FOR AN ACT ENTITLED, An Act to increase the bid limit for certain public improvements.

SB 136: FOR AN ACT ENTITLED, An Act to authorize certain witnesses to be accompanied by a certified therapeutic dog in a criminal proceeding.

SB 139: FOR AN ACT ENTITLED, An Act to revise provisions regarding replacement nursing facilities.

SB 142: FOR AN ACT ENTITLED, An Act to establish certain restrictions regarding the state subsidized dual credit program.

SB 148: FOR AN ACT ENTITLED, An Act to adopt the Uniform Power of Attorney Act.

SB 149: FOR AN ACT ENTITLED, An Act to revise provisions regarding emblem specialty plates.

SB 156: FOR AN ACT ENTITLED, An Act to repeal provisions regarding the South Dakota Veterans Commission.

SB 164: FOR AN ACT ENTITLED, An Act to revise the penalties and provisions regarding approaching stopped vehicles.

SB 167: FOR AN ACT ENTITLED, An Act to revise a provision regarding eligibility for the South Dakota opportunity scholarship.

SB 169: FOR AN ACT ENTITLED, An Act to authorize the possession of a concealed pistol by employees in county courthouses.
HB 1069: FOR AN ACT ENTITLED, An Act to authorize certain veterans to attend courses offered at postsecondary technical institutes without payment of tuition.

HB 1077: FOR AN ACT ENTITLED, An Act to establish certain requirements regarding funeral processions.

HB 1089: FOR AN ACT ENTITLED, An Act to provide for the discharge of certain persons who received a suspended imposition of sentence for a misdemeanor.

HB 1103: FOR AN ACT ENTITLED, An Act to authorize the forensic medical examination of certain minor victims without parental or guardian consent.

HB 1108: FOR AN ACT ENTITLED, An Act to adopt the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act.

HB 1117: FOR AN ACT ENTITLED, An Act to repeal and revise certain provisions regarding riot, to establish the crime of incitement to riot, and to revise provisions regarding civil liability for riot and riot boosting.

HB 1123: FOR AN ACT ENTITLED, An Act to revise provisions regarding termination of a lease by a victim of alleged domestic abuse.

HB 1138: FOR AN ACT ENTITLED, An Act to establish shooting course requirements for current or former law enforcement officers seeking an enhanced permit to carry a concealed pistol.

HB 1154: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding motor vehicle license plates.

HB 1259: FOR AN ACT ENTITLED, An Act to clarify provisions regarding the discretionary formula for determining the assessed value of property for tax purposes.

HB 1264: FOR AN ACT ENTITLED, An Act to revise provisions regarding the procurement of public improvements.

And signed the same in the presence of the Senate.

MOTIONS AND RESOLUTIONS

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

Which motion prevailed and at 10:26 a.m., the Senate recessed.

RECESS

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

HCR 6020: A CONCURRENT RESOLUTION, Denouncing the National Education Association's recent policy to support "the fundamental right to abortion."

Was read the second time.
Sen. Langer moved that HCR 6020 as found on page 397 of the House Journal be concurred in.

The question being on Sen. Langer's motion that HCR 6020 be concurred in.

And the roll being called:

Yeas 28, Nays 0, Excused 7, Absent 0

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

Excused: Foster, Heinert, Kennedy, Nesiba, Partridge, Wiik, and Wismer

So the motion having received an affirmative vote of a majority of the members-elect, the President declared the motion carried and HCR 6020 was concurred in.

Sen. Stalzer moved that the Senate do not concur in House amendments to SB 2 and that a committee of three on the part of the Senate be appointed to meet with a like committee on the part of the House to adjust the differences between the two houses.

Which motion prevailed and the President announced as such committee Senators Stalzer, Soholt, and Nesiba.

Sen. Ewing moved that the Senate do concur in House amendments to SB 186.

The question being on Sen. Ewing's motion that the Senate do concur in House amendments to SB 186.

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0


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. Soholt moved that the Senate do concur in House amendments to SB 18.

The question being on Sen. Soholt's motion that the Senate do concur in House amendments to SB 18.

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, 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:
Phil Jensen and Russell

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. Soholt moved that the Senate do concur in House amendments to SB 19.

The question being on Sen. Soholt's motion that the Senate do concur in House amendments to SB 19.

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, 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:
Phil Jensen and Russell

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. Wiik moved that the Senate do not concur in House amendments to SB 40 and that a committee of three on the part of the Senate be appointed to meet with a like committee on the part of the House to adjust the differences between the two houses.

Which motion prevailed and the President announced as such committee Senators Wiik, Klumb, and Nesiba.

Sen. Maher moved that the Senate do concur in House amendments to SB 55.

The question being on Sen. Maher's motion that the Senate do concur in House amendments to SB 55.

And the roll being called:

Yeas 34, Nays 1, 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, and Youngberg

Nays:
Wismer
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. V. J. Smith moved that the Senate do concur in House amendments to **SB 70**.

The question being on Sen. V. J. Smith's motion that the Senate do concur in House amendments to **SB 70**.

And the roll being called:

Yeas 24, Nays 11, Excused 0, Absent 0

Yeas:
Blare, Bolin, Castleberry, Curd, Duhamel, Foster, Brock Greenfield, Heinert, Kennedy, Klumb, Kolbeck, Lake, Langer, Nesiba, Novstrup, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Steinhauer, White, Wismer, and Youngberg

Nays:
Cammack, Ewing, Phil Jensen, Maher, Monroe, Ernie Otten, Partridge, Russell, Stalzer, Sutton, and Wiik

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. Monroe moved that the Senate do not concur in House amendments to **SB 73** and that a committee of three on the part of the Senate be appointed to meet with a like committee on the part of the House to adjust the differences between the two houses.

Which motion prevailed and the President announced as such committee Senators Monroe, Duhamel, and Foster.

Sen. Blare moved that the Senate do concur in House amendments to **SB 84**.

The question being on Sen. Blare's motion that the Senate do concur in House amendments to **SB 84**.

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

Yeas:

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. Nesiba moved that the Senate do concur in House amendments to **SB 97**.

The question being on Sen. Nesiba's motion that the Senate do concur in House amendments to **SB 97**.
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, Phil Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Rusch, Russell, Schoenbeck, Schoenfish, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and Youngberg

Excused:
V. J. Smith

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. Novstrup moved that the Senate do concur in House amendments to SB 140.

The question being on Sen. Novstrup’s motion that the Senate do concur in House amendments to SB 140.

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, Phil Jensen, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Rusch, Russell, Schoenbeck, Schoenfish, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and Youngberg

Excused:
V. J. Smith

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. Stalzer moved that the Senate do concur in House amendments to SB 151.

The question being on Sen. Stalzer’s motion that the Senate do concur in House amendments to SB 151.

And the roll being called:

Yeas 31, Nays 4, Excused 0, Absent 0

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

Nays:
Foster, Heinert, Nesiba, and Schoenfish

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. Stalzer moved that the Senate do concur in House amendments to SB 180.

The question being on Sen. Stalzer's motion that the Senate do concur in House amendments to SB 180.

And the roll being called:

Yeas 23, Nays 12, Excused 0, Absent 0

Yeas:
Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Brock Greenfield, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Novstrup, Ernie Otten, Rusch, Schoenbeck, Stalzer, Steinhauer, Sutton, Wiik, and Youngberg

Nays:
Foster, Heinert, Phil Jensen, Kennedy, Nesiba, Partridge, Russell, Schoenfish, V. J. Smith, Soholt, White, and Wismer

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. Langer moved that when we adjourn today, we adjourn to convene at 10:00 a.m., on Wednesday, March 11, 2020, the 35th legislative day.

Which motion prevailed.

Sen. Novstrup moved that the Senate do now adjourn, which motion prevailed and at 2:17 p.m. the Senate adjourned.

Kay Johnson, Secretary