

JOURNAL OF THE HOUSE

EIGHTY-THIRD SESSION

THIRTY-FIFTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Monday, March 17, 2008

The House convened at 10:00 a.m., pursuant to adjournment, the Speaker Pro Tempore presiding.

The prayer was offered by the Chaplain, Pastor Brad Urbach, followed by the Pledge of Allegiance led by House page James Francis.

Roll Call: All members present except Rep. Deadrick who was excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirty-fourth 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,
Tim Rave, Vice Chair

Which motion prevailed.

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1 March 13, 2008

2 Mr. Speaker and Members of the House of Representatives:

3 I have the honor to inform you that on March 13, 2008, I approved House Bills 1099, 1100,
4 1129, 1139, 1142, 1203, 1255, 1263, and 1272, and the same have been deposited in the office
5 of the Secretary of State.

6 Respectfully submitted,
7 M. Michael Rounds
8 Governor

9 March 14, 2008

10 Mr. Speaker and Members of the House of Representatives:

11 I have the honor to inform you that on March 13, 2008, I approved House Bills 1037, 1047,
12 1069, 1080, 1083, 1085, 1087, 1107, 1120, 1132, 1149, 1162, 1224, 1226, 1227, 1248, 1265,
13 1302, and 1320, and the same have been deposited in the office of the Secretary of State.

14 Respectfully submitted,
15 M. Michael Rounds
16 Governor

17 March 14, 2008

18 Mr. Speaker and Members of the House of Representatives:

19 I have the honor to inform you that on March 14, 2008, I approved House Bills 1138 and 1283,
20 and the same have been deposited in the office of the Secretary of State.

21 Respectfully submitted,
22 M. Michael Rounds
23 Governor

24 March 13, 2008

25 The Honorable Thomas J. Deadrick
26 Speaker of the House
27 State Capitol
28 Pierre, SD 57501-5070

29 Dear Speaker Deadrick and Members of the House:

30 I herewith return House Bill 1016 and VETO the same.

House Bill 1016 is entitled, "An Act to establish a new system of funding for the postsecondary technical institutes."

This bill seeks to create a new formula for the distribution of funds to the postsecondary technical institutes. However, if enacted, this bill would instead leave no guidelines for the distribution of funding to the technical institutes in FY2009 and would leave items that are currently funded such as maintenance and repair, new program costs, and daycare subsidies without a funding source. Additionally, there could be no dollars available to make the bond payment beginning in FY2010.

As written, House Bill 1016 would repeal all administrative rules regarding the set-aside funding and the current distribution formula. Furthermore, the basis of the new funding formula, the "Base funding allocation" described in Section 1 (2), does not take effect until FY2010. Therefore, after the FY2009 bond payment of \$824,000, there would be no process available to distribute the remaining \$18,663,140 to the technical institutes in FY2009.

Additionally, the language in HB 1016 is very unclear as to whether there is still an appropriation for the bond payment after FY2009. Section 1 (2) defines "Base funding allocation" for FY2010 as the amount appropriated in the general appropriations act for FY2009 including all set-aside funds. Section 2 then sets forth how the DOE shall distribute funds appropriated by the legislature. Section 2 (4) divides the "base funding allocation" defined in Section 1 (2) into a high cost program share and standard cost program share. Under this section, all of the dollars appropriated to the technical institutes would be spent leaving no dollars available to fulfill the obligation to make the bond payments which is set forth in Section 3 of the bill.

Of further concern is the creation of a new fund and corresponding sub funds within the state treasury for maintenance and repair, new program costs, and replacement of equipment, without a revenue source. These creations of a fund and sub funds are the opposite of what the Government Operations and Audit Committee and the legislature has been doing the past 2 years in identifying and eliminating statutes referring to inactive funds in the state treasury. This bill would therefore be against the general momentum of the legislature for the past 2 years and create a new fund and sub funds that would be in the South Dakota Codified Law, but without any revenue.

House Bill 1016 does nothing to benefit the technical institutes. There are no additional dollars provided and it would remove the current flexibility that the technical institutes enjoy in distributing the dollars that are available to them. Moreover, it would leave critical items, such as maintenance and repair, new programs, and daycare unfunded. The easier, more flexible process for changing the distribution formula already exists in the administrative rules process.

Therefore, for all of these reasons, I respectfully request that you concur with my action and sustain my veto.

Respectfully submitted,
M. Michael Rounds
Governor

1 March 13, 2008

2 The Honorable Thomas J. Deadrick
3 Speaker of House
4 State Capitol
5 Pierre, SD 57501-5070

6 Dear Mr. Speaker and Members of the House:

7 I herewith return House Bill 1233 and VETO the same.

8 House Bill 1233 is entitled, "An Act to bring transparency to state spending by requiring the
9 Bureau of Finance and Management to create a website making certain state government
10 information available to the public." I want to make it abundantly clear that I support the
11 concept of making the public financial records of state government more accessible to the
12 people of this state. Unfortunately, this bill is an inappropriate vehicle to do so.

13 The provisions of this bill do not adequately define the information to be made available. Much
14 of what the bill mandates is already on the Internet. Other information specified is not
15 obtainable within the annual deadline set forth. There are duplicate references to vague and
16 indistinct classifications of expenditures and revenues. Other classifications are missing
17 entirely, or conflict with the state's chart of accounts. Does this bill seek to redefine these
18 classifications, in conflict with the authority granted to the governor and the commissioner of
19 Finance and Management under Chapter 4-7 of the SDCL?

20 Of the 19 items this bill requires to be placed on the website, only 5 are defined clearly and
21 accurately enough to constitute valid classifications of expenditure or revenue. This means that
22 over 70 percent of the information specified in this Act is imprecise, unavailable, or duplicative.

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24 Some of the requested data will require changes to several state agency information systems to
25 forward the level of detail necessary to the accounting system for "search ability" as directed by
26 the bill.

27 The bill would require development of a technical architecture for the creation of numerous
28 electronic interfaces to data maintained by the South Dakota Housing Development Authority,
29 the Building Authority, and the South Dakota Science and Technology Authority. Some of
30 these interfaces would need to be developed with the depository trust company who actually
31 makes the bond payments for these authorities.

32 Further, the supporters of the bill fail to acknowledge the costs associated with carrying out the
33 parts of this Act that are feasible. The way the Act is written, it would require a one-time
34 expenditure of over \$612,000 of the taxpayers' dollars, and create an annual price tag of over
35 \$109,000. This bill provides no resources to accomplish the provisions of the Act. Using other
36 funds that are billed to the rest of state government would not comply with the state's cost
37 allocation plan as negotiated with the federal government under the Office of Management and
38 Budget's Circular A-87.

The bill poorly defines the records it seeks to place on the website and does not adequately reflect the chart of accounts of the state of South Dakota. As written, this Act is unworkable and too costly. A practical approach that fits within the resources and framework available needs to be found to make the state's financial information more accessible to the taxpayers.

I am willing to explore what that approach should be with you, but for the reasons stated above I respectfully request that you concur with my action.

Respectfully submitted,
M. Michael Rounds
Governor

March 13, 2008

The Honorable Thomas J. Deadrick
Speaker of House
State Capitol
Pierre, SD 57501-5070

Dear Mr. Speaker and Members of the House:

I herewith return House Bill 1242 and VETO the same.

House Bill 1242 is entitled, "An Act to require the Department of Education and the Board of Regents to establish certain programs for children who are deaf and hard-of-hearing."

This bill amends existing law to mandate that the Department of Education and the Board of Regents share a joint obligation to establish and to disseminate certain policies involving the provision of special education services to children who are deaf or hard of hearing.

Among the amended policy statements is one that broadly tracks existing administrative rules that require the use of individualized education program (IEP) teams to describe the educational opportunities that should be made available to students receiving special education. Another of the amended policy statements specifies that the IEP teams should determine an appropriate level of language proficiency for children who are deaf and hard of hearing.

The proponents of this bill testified that they believed the bill would empower IEP teams to require that the South Dakota School for the Deaf change its legislatively defined mission from that of a school for children who are deaf or hard of hearing to that of a school for children with multiple disabilities who cannot be accommodated in special education programs designed solely for hearing impairments. However, there is no language in the bill that creates the multiple disabilities mandate.

This bill muddies responsibility for funding, supervising, and providing special education services, and, in so doing, it conflicts with the requirements of federal law. Because South Dakota accepts federal monies to defray some of the costs of its elementary and secondary education system, South Dakota education providers must stay in compliance with the

1 conditions that the federal government place on that aid. This bill violates the requirements of
2 comprehensive federal regulations governing special education in three principal respects.

3 First, federal regulations specifically mandate that states establish funding mechanisms to
4 provide a child with a disability free appropriate public education according to the unique needs
5 of the child, no matter where they are placed. This bill violates those regulations by failing to
6 provide funding mechanisms to support whatever new missions that IEP teams may devise for
7 the School for the Deaf.

8 Second, federal regulations require that states assign sole responsibility for regulating and
9 supervising special education to the board, agency, or officer with primary responsibility under
10 state law for the supervision of public elementary schools and secondary schools. This bill
11 violates those regulations by fragmenting responsibility for the education of children who are
12 deaf or hard of hearing.

13 Third, federal regulations require that public authorities be responsible for providing children
14 with disabilities a free appropriate public education in the least restrictive environment. This
15 bill would remove control over key educational matters from public authorities and place it
16 solely with a team of parents, their advocates, and school district or School for the Deaf
17 employees.

18 The bill also repeatedly uses the phrase "children who are deaf and hard-of-hearing" which is
19 inconsistent with the avowed intent of the proponents. This language limits the benefits of the
20 Act to children who are both deaf and hard of hearing, even though these phrases designate
21 separate categories of disability. A more accurate expression of the proponents' intent would
22 require the substitution of the phrase "children who are deaf or hard-of-hearing" throughout the
23 bill.

24 During testimony before the House and Senate Education Committees, proponents voiced their
25 concerns about the lack of appeal procedures available to parents who are not satisfied with
26 admission decisions concerning SDSD or not satisfied with the availability of academic or
27 social programming at the school.

28 Some of those specific concerns were the school's admission policy, lack of course work for
29 high school students to complete the Advanced Pathway toward graduation due to staffing
30 shortages, no summer school this year, lack of ASL instructors, and lack of a mechanism for
31 parents to grieve decisions made by BOR/SDSD. These problems cannot be fixed by
32 disseminating information to local school districts or holding workshops.

33 The Board of Regents and the Department of Education offered to address such concerns
34 through the renegotiating of their memorandum of understanding relating to the programs
35 offered by SDSD and by the South Dakota School for the Blind and the Visually Impaired. That
36 option was not accepted by the proponents.

37 Instead of making this proposal a law, a better solution would be to step back, discuss these
38 problems, and reach a consensus on solutions. If my veto is sustained, I will appoint an 8-month
39 working group who would report their findings of problems and proposals for solutions to me
40 and the legislature by December 1, 2008.

The working group would include persons who would represent the people concerned about these problems- parents, members of the deaf community, the Board of Regents, the State Board of Education, legislators from the House and the Senate, local school service providers, and the general public.

Because this bill would violate federal regulations that the state and schools must follow in order to receive federal funds, because this bill does not contain any appropriations to implement what the IEP teams would mandate, and because legitimate concerns can be addressed without this legislation this year by establishing a working group to develop solutions, I respectfully request that you agree with my action and sustain this veto.

Respectfully submitted,
M. Michael Rounds

March 13, 2008

The Honorable Thomas J. Deadrick
Speaker of the House
State Capitol
Pierre, SD 57501-5070

Dear Speaker Deadrick and Members of the House:

I herewith return House Bill 1258 and VETO the same.

House Bill 1258 is entitled, "An Act to require that certain gift certificates conspicuously disclose information regarding fees and expiration dates."

The bill first proposes to define gift certificates as:

a tangible record evidencing a promise, made for consideration, by the seller or issuer of the record that goods or services will be provided to the owner of the record to the value shown in the record and includes a gift card, stored-value card, store card, or a similar record or card that contains a microprocessor chip, magnetic stripe, or other means for the storage of information, and for which the value is decreased upon each use.

The bill goes on to require that any gift certificate with a fee must contain a statement on the gift certificate or on a separate form stating there is a fee, the amount of the fee, how often the fee will occur, how the fee is triggered, and when the fee will be assessed. In addition, any gift certificate subject to an expiration date is required to contain a statement on the gift certificate visible to a purchaser prior to the purchase, stating the expiration date.

While this legislation is well intended and appears to protect the interests of the consumer, I believe the bill has the opposite effect because the language defining gift certificates in HB1258 is in conflict with language found in the Uniform Unclaimed

1 Property Act, Chapter 43-41B.

2 SDCL 43-41B-1, specifically includes, "gift certificates" within the definition of, intangible
3 property," as used within that chapter. SDCL 43-41B-2, states that all intangible property,
4 including any income or increment derived therefrom, less any lawful charges, that is held,
5 issued, or owing which remains unclaimed by the owner for more than 5 years after it became
6 payable or distributable is presumed abandoned.

7 That chapter goes on to state in 43-41B-3, unless provided by other statute, intangible property
8 is subject to the custody of the state as unclaimed property if the conditions raising a
9 presumption of abandonment under that chapter are met. Those conditions would include where
10 the gift certificate was purchased in this state, and the last known address of the apparent owner
11 or other person entitled to the property is unknown, which would generally be the case with gift
12 certificates and gift cards.

13 No where does chapter 43-41B authorize the business issuing the gift certificate to fix expiration
14 dates. In fact, it seems clear 43-41B envisions that the property identified as covered by the
15 chapter, including gift certificates, is to be held for a period of 5 years at which point the
16 property, if unclaimed, reverts to the state treasury and held in trust as unclaimed property.

17 This conclusion is reinforced by the language of 43-41B-15, which provides:

18 A gift certificate or a credit memo issued in the ordinary course of an issuer's business
19 which remains unclaimed by the owner for more than five years after becoming
20 payable or distributable is presumed abandoned.

21 Again, it appears that an expiration date short of 5 years is not contemplated by current law.
22 Thus, this bill would tacitly authorize the fixing of expiration dates short of the 5-year time
23 frame in Chapter 43-41B, thereby denying the owner the opportunity to use the gift certificate
24 or gift card for a full 5 years. I do not believe this is good public policy. Citizens should not be
25 further restricted in their ability to redeem gift certificates.

26 Therefore, I respectfully request that you concur with my action.

27 Respectfully submitted,
28 M. Michael Rounds
29 Governor

1 March 13, 2008

2 The Honorable Thomas J. Deadrick
3 Speaker of House
4 State Capitol
5 Pierre, SD 57501

6 Dear Mr. Speaker and Members of the House:

7 I herewith return House Bill 1269 and VETO the same.

8 House Bill 1269 establishes a new liquor license which permits the holder of the license to sell
9 malt beverages for off-premises consumption and wine produced by a South Dakota farm
10 winery for off-premises consumption. The primary goal of House Bill 1269 is to create a
11 license that can sell wine for off-premises consumption. This is because the license authorized
12 by SDCL 35-4-2(17) currently permits the sale of malt beverages for off-premises consumption.

13 On February 14, 2008, I signed House Bill 1126, An Act to revise certain provisions regarding
14 the issuance of on-sale wine licenses and the sale of wine. House Bill 1126 created a wine
15 retailer license which permits the sale of wine for both on-premises and off-premises
16 consumption. The wine retailer license authorized by House Bill 1126 can be used to sell wine
17 for off-premises consumption, including wine produced by a South Dakota farm winery. Thus,
18 there is no additional need for the creation of another license that permits the sale of wine for
19 off-premises consumption. Frankly, House Bill 1126 provides more flexibility than House Bill
20 1269 because the holder of the wine retailer license of House Bill 1126 may sell wine for both
21 on-premises and off-premises consumption. In sum, the enactment of House Bill 1126
22 displaced the need for the license sought by House Bill 1269.

23 There are also concerns regarding the language of House Bill 1269. Some may view the
24 language of House Bill 1269 - "and wine produced pursuant to chapter 35-12 package dealers"
25 - as favoring wine produced in our State versus wine produced in another state. Any claim of
26 favoritism brings into the discussion the Commerce Clause of the United States Constitution.
27 It is unnecessary to discuss the Commerce Clause here because House Bill 1126 has already
28 resolved the problem that was the focus of House Bill 1269.

29 For these reasons, I have vetoed House Bill 1269. I respectfully request that you concur with
30 my action.

31 Respectfully submitted,
32 M. Michael Rounds
33 Governor

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MESSAGES FROM THE SENATE

2 MR. SPEAKER:

3 I have the honor to inform your honorable body that the Senate has appointed
4 Sens. Knudson, Dempster, and Heidepriem as a committee of three on the part of the Senate to
5 meet with a like committee on the part of the House to wait upon his Excellency, the Governor,
6 to inform him that the Legislature has completed its labors, is ready to adjourn sine die, and to
7 ascertain if he has any further communications to make to the Legislature.

8 Also MR. SPEAKER:

9 I have the honor to inform your honorable body that the Senate has appointed
10 Sens. Knudson, Dempster, and Heidepriem as a committee of three on the part of the Senate to
11 meet with a like committee on the part of the House pertaining to fixing the time of adjournment
12 sine die for the Eighty-third Legislative Session.

13 Also MR. SPEAKER:

14 I have the honor to inform your honorable body that the Senate has appointed Sens. Gray,
15 Knudson, and Heidepriem as a committee of three on the part of the Senate to meet with a like
16 committee on the part of the House for the purpose of arranging for a joint session to honor
17 Master Sergeant Woodrow Wilson Keeble.

18 Also MR. SPEAKER:

19 I have the honor to inform your honorable body that the Senate has adopted the report of
20 the Joint-Select Committee relative to arranging for a joint session to honor Master Sergeant
21 Woodrow Wilson Keeble.

22 Respectfully,
23 Trudy Evenstad, Secretary

24

MOTIONS AND RESOLUTIONS

25 Rep. Rhoden moved that a committee of three on the part of the House be appointed to
26 meet with a like committee on the part of the Senate to make arrangements for a joint session
27 for a ceremony observing the posthumous awarding of the medal of honor to Master Sergeant
28 Woodrow Wilson Keeble.

29 Which motion prevailed and the Speaker appointed as such committee Reps. Rave,
30 Rhoden, and Hargens.

1 Rep. Rhoden moved that the a committee of three on the part of the House be appointed
2 to meet with a like committee on the part of the Senate to wait upon his Excellency, the
3 Governor, to inform him that the Legislature has completed its labors and is ready to adjourn
4 sine die and to ascertain if he has any further communications to make to the Legislature.

5 Which motion prevailed and the Speaker appointed as such committee Reps. Rave,
6 Rhoden, and Hargens.

7 Rep. Rhoden moved that a committee of three on the part of the House be appointed to
8 meet with a like committee on the part of the Senate pertaining to fixing the time of
9 adjournment sine die for the Eightieth-third Legislative Session.

10 Which motion prevailed and the Speaker appointed as such committee Reps. Rave,
11 Rhoden, and Hargens.

12 CONSIDERATION OF REPORTS OF SELECT COMMITTEES

13 MR. SPEAKER:

14 Your Joint-Select Committee appointed to make arrangements for a ceremony for medal
15 of honor recipient Master Sergeant Woodrow Wilson Keeble respectfully reports that they
16 recommend that the House of Representatives and Senate recess and convene in the House
17 Chamber at 12:00 p.m. on March 17, 2008, to conduct a ceremony to honor Master Sergeant
18 Keeble. The President of the Senate, Dennis Daugaard, presiding.

19 At the conclusion of the ceremony, the Joint Session will be dissolved.

20 The Governor's Proclamation shall be printed in the House and Senate Journals.

21 Respectfully submitted,
22 Tim Rave
23 Larry Rhoden
24 Dale Hargens
25 House Committee

Respectfully submitted,
Bob Gray
Dave Knudson
Scott Heidepriem
Senate Committee

26 Rep. Rhoden moved that the report of the Joint Select Committee relative to making
27 arrangements for a joint session to honor Master Sergeant Woodrow Wilson Keeble be adopted.

28 Which motion prevailed.

1 **CONSIDERATION OF EXECUTIVE VETOES AND RECOMMENDATIONS**

2 The House proceeded to the reconsideration of HB 1016 pursuant to the veto of the
3 Governor and the veto message found on pages 835 to 836 of the House Journal as provided in
4 Article IV, Section 4, of the Constitution of the State of South Dakota.

5 The question being "Shall HB 1016 pass, the veto of the Governor notwithstanding?"

6 And the roll being called:

7 Yeas 17, Nays 52, Excused 1, Absent 0

8 Yeas:

9 Ahlers; Bradford; Burg; Dennert; Elliott; Engels; Feinstein; Gassman; Gillespie; Glenski;
10 Halverson; Hargens; Lucas; Moore; Sigdestad; Street; Van Norman

11 Nays:

12 Boomgarden; Brunner; Buckingham; Carson; Cutler; Davis; DeVries; Dreyer; Dykstra; Faehn;
13 Gilson; Gosch; Hackl; Haverly; Heineman; Hills; Howie; Hunt; Jerke; Juhnke; Kirkeby;
14 Koistinen; Krebs; Lust; McLaughlin; Miles; Nelson; Noem; Novstrup (Al); Novstrup (David);
15 Nygaard; Olson (Betty); Olson (Russell); Olson (Ryan); Pederson (Gordon); Peters; Pitts;
16 Putnam; Rausch; Rave; Rhoden; Rounds; Steele; Thompson; Tidemann; Turbiville; Van Etten;
17 Vanneman; Vehle; Weems; Wick; Willadsen

18 Excused:

19 Speaker Deadrick

20 So the bill not having received an affirmative vote of a two-thirds majority of the members-
21 elect, the Speaker declared the bill lost, sustaining the Governor's veto.

22 The House proceeded to the reconsideration of HB 1233 pursuant to the veto of the
23 Governor and the veto message found on pages 837 and 838 of the House Journal as provided
24 in Article IV, Section 4, of the Constitution of the State of South Dakota.

25 The question being "Shall HB 1233 pass, the veto of the Governor notwithstanding?"

26 And the roll being called:

27 Yeas 61, Nays 8, Excused 1, Absent 0

1 Yeas:

2 Ahlers; Boomgarden; Bradford; Brunner; Buckingham; Burg; Cutler; Dennert; DeVries; Dreyer;
3 Dykstra; Elliott; Engels; Faehn; Feinstein; Gassman; Gillespie; Gilson; Glenski; Gosch; Hackl;
4 Halverson; Hargens; Haverly; Heineman; Hills; Howie; Hunt; Jerke; Juhnke; Kirkeby;
5 Koistinen; Krebs; Lust; McLaughlin; Miles; Moore; Nelson; Noem; Novstrup (Al); Novstrup
6 (David); Nygaard; Olson (Betty); Olson (Russell); Peters; Pitts; Rausch; Rave; Rhoden; Rounds;
7 Sigdestad; Steele; Street; Thompson; Van Etten; Van Norman; Vanneman; Vehle; Weems;
8 Wick; Willadsen

9 Nays:

10 Carson; Davis; Lucas; Olson (Ryan); Pederson (Gordon); Putnam; Tidemann; Turbiville

11 Excused:

12 Speaker Deadrick

13 So the bill having received an affirmative vote of a two-thirds majority of the members-
14 elect, the Speaker declared the bill passed, the veto of the Governor notwithstanding.

15 There being no objection, the House reverted to Order of Business No. 8.

16 MOTIONS AND RESOLUTIONS

17 (continued)

18 Rep. Rhoden moved that the rules be suspended for the sole purpose of introducing, giving
19 first reading, dispensing with committee referral, and giving final consideration to a house
20 concurrent resolution expressing the legislature's respect and appreciation for the service of
21 Master Sergeant Woodrow Wilson Keeble.

22 The question being on Rep. Rhoden's motion that the rules be suspended for the sole
23 purpose of introducing, giving first reading, dispensing with committee referral, and giving final
24 consideration to a house concurrent resolution expressing the legislature's respect and
25 appreciation for the service of Master Sergeant Woodrow Wilson Keeble.

26 And the roll being called:

27 Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Ahlers; Boomgarden; Bradford; Brunner; Buckingham; Burg; Carson; Cutler; Davis; Dennert;
3 DeVries; Dreyer; Dykstra; Elliott; Engels; Faehn; Feinstein; Gassman; Gillespie; Gilson;
4 Glenski; Gosch; Hackl; Halverson; Hargens; Haverly; Heineman; Hills; Howie; Hunt; Jerke;
5 Juhnke; Kirkeby; Koistinen; Krebs; Lucas; Lust; McLaughlin; Miles; Moore; Nelson; Noem;
6 Novstrup (Al); Novstrup (David); Nygaard; Olson (Betty); Olson (Russell); Olson (Ryan);
7 Pederson (Gordon); Peters; Pitts; Putnam; Rausch; Rave; Rhoden; Rounds; Sigdestad; Steele;
8 Street; Thompson; Tidemann; Turbiville; Van Etten; Van Norman; Vanneman; Vehle; Weems;
9 Wick; Willadsen

10 Excused:

11 Speaker Deadrick

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

14 HCR 1011 Introduced by: Representatives Deadrick, Ahlers, Boomgarden, Bradford,
15 Brunner, Buckingham, Burg, Carson, Cutler, Davis, Dennert, DeVries, Dreyer, Dykstra, Elliott,
16 Engels, Faehn, Feinstein, Gassman, Gillespie, Gilson, Glenski, Gosch, Hackl, Halverson,
17 Hargens, Haverly, Heineman, Hills, Howie, Hunt, Jerke, Juhnke, Kirkeby, Koistinen, Krebs,
18 Lucas, Lust, McLaughlin, Miles, Moore, Nelson, Noem, Novstrup (Al), Novstrup (David),
19 Nygaard, Olson (Betty), Olson (Russell), Olson (Ryan), Pederson (Gordon), Peters, Pitts,
20 Putnam, Rausch, Rave, Rhoden, Rounds, Sigdestad, Steele, Street, Thompson, Tidemann,
21 Turbiville, Van Etten, Van Norman, Vanneman, Vehle, Weems, Wick, and Willadsen and
22 Senators Gray, Abdallah, Albers, Apa, Bartling, Dempster, Duenwald, Gant, Garnos,
23 Greenfield, Hansen (Tom), Hanson (Gary), Hauge, Heidepriem, Hoerth, Hundstad, Hunhoff,
24 Jerstad, Katus, Kloucek, Knudson, Koetzle, Lintz, Maher, McCracken, McNenny, Napoli,
25 Nesselhuf, Olson (Ed), Peterson (Jim), Schmidt (Dennis), Smidt (Orville), Sutton, Turbak Berry,
26 and Two Bulls

27 A CONCURRENT RESOLUTION, Expressing the Legislature's consummate respect and
28 appreciation for the service of Master Sergeant Woodrow Wilson Keeble,
29 Sisseton-Wahpeton Oyate, a recipient of the Medal of Honor, the nation's highest military
30 award.

31 WHEREAS, On March 3, 2008, the family of Master Sergeant Woodrow Wilson Keeble
32 accepted on his behalf the Medal of Honor, awarded for conspicuous gallantry and intrepidity
33 at the risk of his life, above and beyond the call of duty, during the Korean War. The award was
34 presented by the President of the United States, George W. Bush, nearly sixty years after Master
35 Sergeant Keeble's heroic actions in Korea and twenty-six years after his death in 1982; and

36 WHEREAS, Woodrow Wilson Keeble was born in 1917 in Waubay, South Dakota and was
37 an enrolled member of the Sisseton-Wahpeton Oyate. He lived much of his early life in the
38 Wahpeton, North Dakota area and attended the Wahpeton Indian School. An excellent athlete,
39 he was a professional baseball prospect before being called to military service during World
40 War II; and

1 WHEREAS, Woodrow Wilson Keeble served during World War II in the Pacific Theater
2 of Operations as a member of the 164th Infantry Regiment of the North Dakota National Guard,
3 which was activated into federal service and assigned to United States Army's 23rd Infantry
4 Division, known as the Americal Division. Mr. Keeble and the Americal Division served with
5 distinction in multiple campaigns in the Pacific, including Guadalcanal, Bougainville, and on
6 the islands of Leyte, Cebu, and Mindanao in the Philippines. For his service during World War
7 II, Mr. Keeble earned the Combat Infantryman's Badge, the Bronze Star Medal with "V" device
8 for valor at Guadalcanal, and the Purple Heart Medal; and

9 WHEREAS, Upon activation of his National Guard unit during the Korean War, Master
10 Sergeant Keeble volunteered for immediate combat duty and was assigned to G Company, 19th
11 Infantry Regiment, 24th Infantry Division. He served in Korea from February of 1951 to April
12 of 1952; and

13 WHEREAS, Master Sergeant Keeble displayed exemplary leadership and courage during
14 his service in Korea, particularly during a furious series of engagements in October, 1951 as part
15 of Operation Nomad, which involved the taking of mountainous territory from deeply
16 entrenched Chinese troops protecting a major Chinese supply depot near the town of Kumsong.
17 He was wounded on October 15, and again on October 17, 18, and 20, for which he received
18 only one Purple Heart. His actions on October 20, however, resulted in his eventual award of
19 the Medal of Honor, fifty-seven years after the event; and

20 WHEREAS, Master Sergeant Keeble exhibited extraordinary heroism on October 20, 1951,
21 near Kumsong when another platoon in G Company found itself pinned down by enemy fire in
22 its sixth day of round-the-clock fighting. Master Sergeant Keeble, having already sustained two
23 gunshot wounds to his arm and multiple grenade fragmentation wounds to his face and body,
24 and against the advice of his platoon medic to stay back because of his wounds, left the relative
25 safety of his own platoon to assist the pinned down unit. Using grenades and a Browning
26 Automatic rifle, and in the face of increasingly concentrated enemy fire directed at him, Master
27 Sergeant Keeble single-handedly destroyed three four-man enemy machine gun bunkers and
28 killed an additional seven enemy riflemen in nearby trenches, thus saving numerous American
29 lives and allowing his company and other U.S. units to advance and to achieve their crucial and
30 strategic mountain objective; and

31 WHEREAS, Master Sergeant Keeble initially received the Distinguished Service Cross for
32 his bravery during the October 20th battle. For his service in Korea, he was also awarded the
33 Silver Star Medal, the nation's third highest award for heroism in combat, as well as a second
34 award of the Bronze Star Medal, a second award of the Combat Infantryman's Badge, and a
35 second award of the Purple Heart, even though he was wounded on at least five separate
36 occasions during World War II and Korea. He emerged from his military service as one of the
37 Dakotas' most decorated combat veterans; and

38 WHEREAS, Master Sergeant Keeble was twice recommended for the Medal of Honor in
39 late 1951 for his actions during Operation Nomad, including a recommendation signed by all
40 of the surviving members of G Company. However, the recommendations were lost in the battle
41 area; and

1 WHEREAS, Master Sergeant Keeble's family in 1972 began efforts to upgrade his
2 Distinguished Service Cross to the Medal of Honor. With the support of Sisseton-Wahpeton
3 Oyate tribal officials, they gathered statements and eyewitness accounts from the men who had
4 served with Master Sergeant Keeble and sought help from the North and South Dakota
5 congressional delegations. On March 23, 2007, legislation was introduced in the U.S. Senate
6 by Senators Byron Dorgan and Kent Conrad of North Dakota and Senators Tim Johnson and
7 John Thune of South Dakota to award Master Sergeant Keeble the Medal of Honor for valor
8 during the Korean War. Congress passed this legislation in December of 2007; and

9 WHEREAS, Master Sergeant Woodrow Wilson Keeble is the first Dakota, Lakota, or
10 Nakota Sioux tribal member to be awarded the Medal of Honor. His outstanding record of
11 bravery and selfless sacrifice in the most difficult of times speaks for itself, and his legacy of
12 courage, dignity, and service to his tribe, his state, and his country lives on:

13 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
14 Third Legislature of the State of South Dakota, the Senate concurring therein, that the South
15 Dakota Legislature extends its undying respect and gratitude to Master Sergeant Woodrow
16 Wilson Keeble, Sisseton-Wahpeton Oyate, who served with distinction in the United States
17 Army during World War II and who earned this nation's highest military award, the Medal of
18 Honor, for his heroic service during the Korean War; and

19 BE IT FURTHER RESOLVED, that the Legislature recognizes with regret that this award
20 came many years after Master Sergeant Keeble's death. It is our earnest hope that his family will
21 take comfort in this belated award and that Master Sergeant Woodrow Wilson Keeble's example
22 will continue to inspire the people of this state and the entire nation.

23 Was read the first time.

24 HCR 1011: A CONCURRENT RESOLUTION, Expressing the Legislature's consummate
25 respect and appreciation for the service of Master Sergeant Woodrow Wilson Keeble, Sisseton-
26 Wahpeton Oyate, a recipient of the Medal of Honor, the nation's highest military award.

27 Rep. Rhoden moved that HCR 1011 as found on pages 847 to 849 of the House Journal
28 be adopted.

29 The question being on Rep. Rhoden's motion that HCR 1011 be adopted.

30 And the roll being called:

31 Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Ahlers; Boomgarden; Bradford; Brunner; Buckingham; Burg; Carson; Cutler; Davis; Dennert;
3 DeVries; Dreyer; Dykstra; Elliott; Engels; Faehn; Feinstein; Gassman; Gillespie; Gilson;
4 Glenski; Gosch; Hackl; Halverson; Hargens; Haverly; Heineman; Hills; Howie; Hunt; Jerke;
5 Juhnke; Kirkeby; Koistinen; Krebs; Lucas; Lust; McLaughlin; Miles; Moore; Nelson; Noem;
6 Novstrup (Al); Novstrup (David); Nygaard; Olson (Betty); Olson (Russell); Olson (Ryan);
7 Pederson (Gordon); Peters; Pitts; Putnam; Rausch; Rave; Rhoden; Rounds; Sigdestad; Steele;
8 Street; Thompson; Tidemann; Turbiville; Van Etten; Van Norman; Vanneman; Vehle; Weems;
9 Wick; Willadsen

10 Excused:

11 Speaker Deadrick

12 So the motion having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the motion carried and HCR 1011 was adopted.

14 **CONSIDERATION OF EXECUTIVE VETOES AND RECOMMENDATIONS**
15 (continued)

16 The House proceeded to the reconsideration of HB 1242 pursuant to the veto of the
17 Governor and the veto message found on pages 838 to 840 of the House Journal as provided in
18 Article IV, Section 4, of the Constitution of the State of South Dakota.

19 Rep. Rhoden moved the previous question.

20 Which motion prevailed.

21 The question being "Shall HB 1242 pass, the veto of the Governor notwithstanding?"

22 And the roll being called:

23 Yeas 45, Nays 24, Excused 1, Absent 0

24 Yeas:

25 Ahlers; Bradford; Burg; Cutler; Dennert; DeVries; Dreyer; Dykstra; Elliott; Engels; Feinstein;
26 Gassman; Gillespie; Gilson; Glenski; Gosch; Halverson; Hargens; Haverly; Heineman; Hills;
27 Jerke; Kirkeby; Koistinen; Krebs; Lucas; Miles; Moore; Nelson; Novstrup (Al); Novstrup
28 (David); Nygaard; Olson (Betty); Olson (Russell); Peters; Pitts; Rave; Sigdestad; Steele; Street;
29 Thompson; Van Etten; Van Norman; Weems; Wick

30 Nays:

31 Boomgarden; Brunner; Buckingham; Carson; Davis; Faehn; Hackl; Howie; Hunt; Juhnke; Lust;
32 McLaughlin; Noem; Olson (Ryan); Pederson (Gordon); Putnam; Rausch; Rhoden; Rounds;
33 Tidemann; Turbiville; Vanneman; Vehle; Willadsen

1 Excused:
2 Speaker Deadrick

3 So the bill not having received an affirmative vote of a two-thirds majority of the members-
4 elect, the Speaker declared the bill lost, sustaining the Governor's veto.

5 The House proceeded to the reconsideration of HB 1258 pursuant to the veto of the
6 Governor and the veto message found on pages 840 to 841 of the House Journal as provided in
7 Article IV, Section 4, of the Constitution of the State of South Dakota.

8 The question being "Shall HB 1258 pass, the veto of the Governor notwithstanding?"

9 And the roll being called:

10 Yeas 32, Nays 35, Excused 3, Absent 0

11 Yeas:
12 Ahlers; Bradford; Burg; Dennert; DeVries; Elliott; Engels; Feinstein; Gassman; Gillespie;
13 Glenski; Gosch; Halverson; Hargens; Hills; Jerke; Kirkeby; Koistinen; Lucas; Miles; Moore;
14 Nelson; Nygaard; Olson (Betty); Olson (Ryan); Sigdestad; Street; Thompson; Van Etten; Van
15 Norman; Vehle; Weems

16 Nays:
17 Boomgarden; Brunner; Buckingham; Carson; Davis; Dreyer; Dykstra; Faehn; Gilson; Hackl;
18 Haverly; Heineman; Howie; Hunt; Juhnke; Krebs; Lust; McLaughlin; Noem; Novstrup (Al);
19 Novstrup (David); Olson (Russell); Peters; Pitts; Putnam; Rausch; Rave; Rhoden; Rounds;
20 Steele; Tidemann; Turbiville; Vanneman; Wick; Willadsen

21 Excused:
22 Cutler; Pederson (Gordon); Speaker Deadrick

23 So the bill not having received an affirmative vote of a two-thirds majority of the members-
24 elect, the Speaker declared the bill lost, sustaining the Governor's veto.

25 The House proceeded to the reconsideration of HB 1269 pursuant to the veto of the
26 Governor and the veto message found on page 842 of the House Journal as provided in Article
27 IV, Section 4, of the Constitution of the State of South Dakota.

28 Rep. Rhoden moved the previous question.

29 Which motion prevailed.

1 The question being "Shall HB 1269 pass, the veto of the Governor notwithstanding?"

2 And the roll being called:

3 Yeas 57, Nays 12, Excused 1, Absent 0

4 Yeas:

5 Ahlers; Boomgarden; Bradford; Buckingham; Burg; Cutler; Dennert; DeVries; Dreyer; Dykstra;
6 Elliott; Engels; Feinstein; Gassman; Gillespie; Gilson; Glenski; Gosch; Hackl; Halverson;
7 Hargens; Haverly; Heineman; Hills; Howie; Hunt; Jerke; Juhnke; Kirkeby; Krebs; Lucas; Lust;
8 McLaughlin; Miles; Moore; Nelson; Novstrup (Al); Novstrup (David); Nygaard; Olson (Betty);
9 Olson (Russell); Olson (Ryan); Peters; Pitts; Rave; Rounds; Sigdestad; Steele; Street;
10 Thompson; Tidemann; Van Etten; Van Norman; Vanneman; Vehle; Weems; Wick

11 Nays:

12 Brunner; Carson; Davis; Faehn; Koistinen; Noem; Pederson (Gordon); Putnam; Rausch;
13 Rhoden; Turbiville; Willadsen

14 Excused:

15 Speaker Deadrick

16 So the bill having received an affirmative vote of a two-thirds majority of the members-
17 elect, the Speaker declared the bill passed, the veto of the Governor notwithstanding.

18 There being no objection, the House reverted to Order of Business No. 7.

19 **MESSAGES FROM THE SENATE**
20 (continued)

21 MR. SPEAKER:

22 I have the honor to return herewith HCR 1011 in which the Senate has concurred.

23 Respectfully,
24 Trudy Evenstad, Secretary

25 Rep. Rhoden moved that the House do now recess until 1:00 p.m., which motion prevailed
26 and at 11:43 a.m., the House recessed.

1

RECESS

2

JOINT SESSION

3 Pursuant to the report of the Joint-Select Committee, as found on page 844 of the House
4 Journal, the Senate convened with the House of Representatives in the House Chamber for the
5 purpose of conducting a ceremony to honor Master Sergeant Woodrow Wilson Keeble. The
6 President of the Senate, Dennis Daugaard, presiding.

7 The Secretary of the Senate, Trudy Evenstad, called the roll of the Senate and the
8 following members were present:

9 Abdallah; Albers; Apa; Bartling; Dempster; Duenwald; Gant; Garnos; Gray; Greenfield;
10 Hansen, Tom; Hanson, Gary; Hauge; Heidepriem; Hoerth; Hundstad; Hunhoff; Jerstad; Katus;
11 Kloucek; Knudson; Koetzle; Lintz; Maher; McCracken; McNenny; Nesselhuf; Olson, Ed;
12 Peterson, Jim; Schmidt, Dennis; Smidt, Orville; Sutton; Turbak Berry; Two Bulls.

13 The Chief Clerk of the House of Representatives, Karen Gerdes, called the roll of the
14 House and the following members were present:

15 Ahlers; Boomgarden; Bradford; Brunner; Buckingham; Burg; Carson; Cutler; Davis; Dennert;
16 DeVries; Dreyer; Dykstra; Elliott; Engels; Faehn; Feinstein; Gassman; Gillespie; Gilson;
17 Glenski; Gosch; Hackl; Halverson; Hargens; Haverly; Heineman; Hills; Howie; Hunt; Jerke;
18 Juhnke; Kirkeby; Koistinen; Krebs; Lucas; Lust; McLaughlin; Miles; Moore; Nelson; Noem;
19 Novstrup, Al; Novstrup, David; Nygaard; Olson, Betty; Olson, Russell; Olson, Ryan; Pederson,
20 Gordon; Peters; Pitts; Putnam; Rausch; Rave; Rhoden; Rounds; Sigdestad; Steele; Street;
21 Thompson; Tidemann; Turbiville; Van Etten; Van Norman; Vanneman; Vehle; Weems; Wick;
22 Willadsen.

23 Sen. Knudson moved that a committee of three on the part of the Senate and a committee
24 of four on the part of the House be appointed to escort the Honorable M. Michael Rounds,
25 Governor of the State of South Dakota; the family of Master Sergeant Woodrow Wilson
26 Keeble; and the Sisseton-Wahpeton Vietnam Veterans – Kit Fox Society: Duane "Doc" Wanna,
27 Joe William, Dave Flute, Dayton Seaboy, Gerald Thompson, Lincoln DeMarrias, Greg Maetaes,
28 Dave Roberson, John Two Stars, Ed Williams, and Darrell White to the rostrum.

29 Which motion prevailed and the President appointed as such committee Sens. Gray,
30 Knudson, and Heidepriem on the part of the Senate and Reps. Rhoden, Dykstra, Hargens, and
31 Gillespie on the part of the House.

32 The Sergeant at Arms announced the arrival of the Honorable M. Michael Rounds, the
33 family of Master Sergeant Woodrow Wilson Keeble, and the Sisseton-Wahpeton Vietnam
34 Veterans – Kit Fox Society, who were escorted to the rostrum.

35 The National Anthem was sung by Anthony Hunt of Pierre, South Dakota.

1 A Dakota Prayer was offered by Joe Williams of the Sisseton-Wahpeton Oyate.

2 The Honorable M. Michael Rounds read the Governor's Proclamation and made brief
3 remarks.

4 Speaker Pro Tempore Rave read the House Concurrent Resolution.

5 Dayton Seaboy and David Flute sang the Dakota Warrior song.

6 Sen. Knudson moved that the Joint Session do now dissolve.

7 Which motion prevailed.

8 The House reconvened at 1:00 p.m., the Speaker presiding.

9 **CONSIDERATION OF REPORTS OF JOINT-SELECT COMMITTEES**
10 (continued)

11 MR. SPEAKER

12 Your Joint-Select Committee appointed to wait upon his Excellency, the Governor, to
13 inform him that the Legislature has completed its labors and is ready to adjourn sine die and to
14 ascertain if he has any further communications to make to the Legislature, respectfully reports
15 that it has performed the duty assigned to it and has been informed by his Excellency, the
16 Governor, that he will not appear for the closing of the Eighty-third Legislative Session.

17 Respectfully submitted,
18 Tim Rave
19 Larry Rhoden
20 Dale Hargens
21 House Committee

Respectfully submitted,
Dave Knudson
Tom Dempster
Scott Heidepriem
Senate Committee

22 Rep. Rhoden moved that the report of the Joint-Select Committee relative to informing
23 the Governor that the Legislature has completed its labors and is ready to ascertain if he has any
24 further communications to make to the Legislature be adopted.

25 Which motion prevailed.

1 Also MR. SPEAKER:

2 Your Joint-Select Committee appointed to consider the matter of adjournment sine die of
3 the Eighty-third Legislative Session respectfully reports that the Senate and House of
4 Representatives adjourn sine die at the hour of 2:50 p.m., March 17, 2008.

5 Respectfully submitted,
6 Tim Rave
7 Larry Rhoden
8 Dale Hargens
9 House Committee

Respectfully submitted,
Dave Knudson
Thomas Dempster
Scott Heidepriem
Senate Committee

10 Rep. Rhoden moved that the report of the Joint-Select Committee relative to fixing the time
11 to adjourn sine die be adopted.

12 Which motion prevailed.

13 There being no objection, the House reverted to Order of Business No. 8.

14 **MESSAGES FROM THE SENATE**
15 (continued)

16 MR. SPEAKER:

17 I have the honor to inform your honorable body that the Senate has sustained the veto of
18 the Governor on HB 1233.

19 Also MR. SPEAKER:

20 I have the honor to inform your honorable body that the Senate has passed HB 1269, the
21 Governor's veto notwithstanding.

22 Also MR. SPEAKER:

23 I have the honor to inform your honorable body that the Senate has adopted the report of
24 the Joint-Select Committee for the purpose of informing his Excellency, the Governor, that the
25 Legislature has completed its labors, is ready to adjourn sine die, and to ascertain if he has any
26 further communications to make to the Legislature.

1 Also MR. SPEAKER:

2 I have the honor to inform your honorable body that the Senate has adopted the report of
3 the Joint-Select Committee for the purpose of fixing the time of adjournment sine die for the
4 Eighty-third Legislative Session.

5 Respectfully,
6 Trudy Evenstad, Secretary

7 **REPORTS OF STANDING COMMITTEES**

8 MR. SPEAKER:

9 The Committee on Legislative Procedure respectfully reports that the House and Senate
10 have, pursuant to the Governor's veto of HB 1016, sustained that veto and delivered the same
11 to his Excellency, the Secretary of State, for filing at 2:25 p.m., March 17, 2008.

12 Also MR. SPEAKER:

13 The Committee on Legislative Procedure respectfully reports that the House and Senate
14 have, pursuant to the Governor's veto of HB 1233, sustained that veto and delivered the same
15 to his Excellency, the Secretary of State, for filing at 2:25 p.m., March 17, 2008.

16 Also MR. SPEAKER:

17 The Committee on Legislative Procedure respectfully reports that the House and Senate
18 have, pursuant to the Governor's veto of HB 1242, sustained that veto and delivered the same
19 to his Excellency, the Secretary of State, for filing at 2:25 p.m., March 17, 2008.

20 Also MR. SPEAKER:

21 The Committee on Legislative Procedure respectfully reports that the House and Senate
22 have, pursuant to the Governor's veto of HB 1258, sustained that veto and delivered the same
23 to his Excellency, the Secretary of State, for filing at 2:25 p.m., March 17, 2008.

1 Also MR. SPEAKER:

2 The Committee on Legislative Procedure respectfully reports that the House and Senate
3 have, pursuant to the Governor's veto of HB 1269, overridden that veto and delivered the same
4 to his Excellency, the Secretary of State, for filing at 2:43 p.m., March 17, 2008.

5 Respectfully submitted,
6 Tim Rave, Vice Chair

7 The following prayer was offered by Pastor Brad Urbach.

8 Holy and gracious Father, as we move forward from this legislative session we pray for
9 Your continued blessing upon the men and women who have faithfully served.

10 We thank You especially for those whose legislative terms now come to an end.

11 Grant safety to all who travel this day. We ask Your guidance upon those who will serve
12 on summer studies and take on various leadership responsibilities. Continue to bless them with
13 good insight and wisdom as they address issues of common interest for our state.

14 We pray Your blessings upon the Speaker of the House, Tom Deadrick, who is healing
15 from an illness.

16 We, too, thank You for the gathering of the family of Master Sergeant Woodrow Wilson
17 Keeble, who bravely served our country and whose memory is honored this day for his bravery
18 and valor.

19 As we journey into spring we beseech You, Heavenly Father, for greatly needed moisture
20 for our fields and our waterways.

21 We ask You to bless our beloved State of South Dakota, that we might use all of our
22 resources, natural and human, to Your glory and the well being of our whole state.

23 So, indeed Father, we thank You for this day, and for the blessing of these women and men
24 of the House of Representatives, and for the well being of our state.

25 This we all ask of You, and this I would pray in the name of Christ Jesus. Amen.

26 Rep. Pederson moved that the House do now adjourn sine die, which motion prevailed, and
27 at 2:50 p.m. the House adjourned.

28 Karen Gerdes, Chief Clerk

Pursuant to the Joint-Select Committee Report found on page 844 of the House Journal, the following is Governor M. Michael Rounds' Executive Proclamation:

Whereas, Master Sergeant Woodrow Wilson Keeble, son of Isaac and Nancy (Shaker) Keeble, was born in Waubay, South Dakota; and,

Whereas, Master Sergeant Keeble was a member of the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, a Sioux Native American tribe, and a U.S. Army National Guard veteran of both World War II and the Korean War; and,

Whereas, Master Sergeant Keeble was awarded the Distinguished Service Cross, the Silver Star, the Bronze Star with V device for Valor, the Bronze Star for merit, the Combat Infantryman Badge (first and second awards), and two Purple Hearts; and,

Whereas, Master Sergeant Keeble was posthumously awarded our nation's highest award, the Congressional Medal of Honor, by President George W. Bush on March 3, 2008, for his actions in the Korean War. He is the first full-blooded Sioux Indian to receive the Medal of Honor; and,

Whereas, Master Sergeant Keeble symbolizes the valor and bravery of all infantrymen not only from South Dakota, but from the entire country; and,

Whereas, The legacy of Master Sergeant Keeble's bravery will serve to inspire generations of South Dakotans; and,

Whereas, South Dakota is indebted to Master Sergeant Keeble for preserving that which we so bountifully enjoy - liberty and freedom; and,

Whereas, It is fitting and proper as Governor to remember Master Sergeant Woodrow Wilson Keeble for his dedicated and outstanding service to this country and state:

Now, Therefore, I, M. Michael Rounds, Governor of the state of South Dakota, do hereby proclaim March 17, 2008, as

**A DAY OF TRIBUTE FOR MASTER SERGEANT
WOODROW WILSON KEEBLE**

in South Dakota.

In Witness Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the state of South Dakota, in Pierre, the Capital City, this Fourteenth Day of March in the Year of Our Lord, Two Thousand and Eight.

M. Michael Rounds, Governor

Attest:
Chris Nelson, Secretary of State