

JOURNAL OF THE HOUSE

EIGHTY-SEVENTH SESSION

TWENTY-NINTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, February 28, 2012

The House convened at 1:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Father Kristopher Cowles, followed by the Pledge of Allegiance led by House pages Allison Hosman and Ronni Kenyon.

Roll Call: All members present.

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 twenty-eighth 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,
Val Rausch, Chair

Which motion prevailed.

1 Yeas:

2 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
3 Dryden; Elliott; Feickert; Feinstein; Gibson; Gosch; Haggar; Hansen (Jon); Hawley; Hickey;
4 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jones; Killer; Kirkeby; Kirschman;
5 Kloucek; Kopp; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Novstrup (David); Perry;
6 Romkema; Rozum; Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz;
7 Tulson; Turbiville; Van Gerpen; Vanneman; Verchio; White; Wick; Willadsen; Wink; Wismer;
8 Speaker Rausch

9 Nays:

10 Greenfield; Jensen; Liss; Nelson (Stace); Olson (Betty); Russell; Tornow; Venner

11 Excused:

12 Fargen

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

15 **SECOND READING OF CONSENT CALENDAR ITEMS**

16 SB 161: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning public
17 meetings held by teleconference or videoconference.

18 Was read the second time.

19 The question being "Shall SB 161 pass as amended?"

20 And the roll being called:

21 Yeas 70, Nays 0, Excused 0, Absent 0

22 Yeas:

23 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
24 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
25 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones;
26 Killer; Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser;
27 Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum;
28 Russell; Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow;
29 Tulson; Turbiville; Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink;
30 Wismer; Speaker Rausch

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

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

2 SB 25: FOR AN ACT ENTITLED, An Act to provide for the creation of a new state
3 accountability system for public elementary and secondary schools.

4 Was read the second time.

5 The question being "Shall SB 25 pass as amended?"

6 And the roll being called:

7 Yeas 45, Nays 25, Excused 0, Absent 0

8 Yeas:

9 Abdallah; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dryden; Gosch; Greenfield;
10 Haggar; Hansen (Jon); Hickey; Hoffman; Hubbel; Hunt; Jensen; Kirkeby; Liss; Lust; Magstadt;
11 Miller; Moser; Munsterman; Novstrup (David); Olson (Betty); Perry; Romkema; Rozum;
12 Schaefer; Scott; Sly; Solum; Steele; Tornow; Tulson; Turbiville; Vanneman; Venner; Verchio;
13 White; Wick; Willadsen; Wink; Speaker Rausch

14 Nays:

15 Blake; Bolin; Dennert; Elliott; Fargen; Feickert; Feinstein; Gibson; Hawley; Hunhoff (Bernie);
16 Iron Cloud III; Jones; Killer; Kirschman; Kloucek; Kopp; Lucas; Nelson (Stace); Russell;
17 Schrempp; Sigdestad; Street; Stricherz; Van Gerpen; Wismer

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

20 SB 162: FOR AN ACT ENTITLED, An Act to provide for the designation of certified
21 technology parks.

22 Was read the second time.

23 The question being "Shall SB 162 pass as amended?"

24 And the roll being called:

25 Yeas 66, Nays 2, Excused 2, Absent 0

1 Yeas:

2 Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden;
3 Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley;
4 Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer;
5 Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman;
6 Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Schaefer; Schrempp; Scott;
7 Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tulson; Turbiville; Van Gerpen; Vanneman;
8 Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

9 Nays:

10 Nelson (Stace); Tornow

11 Excused:

12 Abdallah; Russell

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

15 Rep. Lust moved that SB 170 be placed to follow SB 183 on today's calendar.

16 Which motion prevailed.

17 SB 43: FOR AN ACT ENTITLED, An Act to criminalize the failure to report the death
18 or disappearance of a child within a specified time by certain persons responsible for the care
19 of the child.

20 Was read the second time.

21 The question being "Shall SB 43 pass as amended?"

22 And the roll being called:

23 Yeas 66, Nays 4, Excused 0, Absent 0

24 Yeas:

25 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
26 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
27 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones;
28 Killer; Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser;
29 Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Russell;
30 Schaefer; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Turbiville;
31 Van Gerpen; Vanneman; Venner; White; Wick; Willadsen; Wink; Speaker Rausch

32 Nays:

33 Rozum; Schrempp; Verchio; Wismer

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

3 SB 91: FOR AN ACT ENTITLED, An Act to allow officers of corporations to represent
4 corporations in property tax appeals at the Office of Hearing Examiners.

5 Was read the second time.

6 The question being "Shall SB 91 pass as amended?"

7 And the roll being called:

8 Yeas 66, Nays 2, Excused 2, Absent 0

9 Yeas:

10 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dryden;
11 Elliott; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey; Hoffman;
12 Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby; Kirschman;
13 Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup
14 (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer; Schrempp; Scott;
15 Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen;
16 Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

17 Nays:

18 Feickert; Kloucek

19 Excused:

20 Dennert; Fargen

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

23 SB 49: FOR AN ACT ENTITLED, An Act to revise the property tax levies for the general
24 fund of a school district.

25 Was read the second time.

26 The question being "Shall SB 49 pass?"

27 And the roll being called:

28 Yeas 67, Nays 3, Excused 0, Absent 0

1 Yeas:

2 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
3 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
4 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jones; Killer;
5 Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman;
6 Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Schaefer; Schrempp; Scott;
7 Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen;
8 Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

9 Nays:

10 Jensen; Nelson (Stace); Russell

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

13 SB 80: FOR AN ACT ENTITLED, An Act to exempt veterans from the twelve-month
14 residency requirement for the purposes of tuition and fees.

15 Was read the second time.

16 80bb

17 Rep. Kloucek moved that SB 80 be amended as follows:

18 On page 1, after line 13 of the Senate Appropriations Committee engrossed bill, insert:

19 " Section 3. That § 33A-1-16 be amended to read as follows:

20 33A-1-16. The Department of Veterans Affairs shall cooperate with all national, state,
21 county, municipal, and private social agencies in securing to veterans, National Guard or
22 Reserve members, and their dependents the benefits provided by national, state, and county
23 laws, municipal ordinances, or public or private social agencies. To that end, the department
24 may hold schools of instruction for county and tribal veterans service officers, or call in for
25 instruction individual county or tribal veterans service officers if, in the judgment of the
26 Department of Veterans Affairs, the giving of such instructions or holding of such schools is in
27 the best interest of the work of the department. The department may pay the actual necessary
28 expenses of any such county service officer when attending such schools of instruction away
29 from the officer's home county, out of the funds appropriated for the administration of the
30 department. The expenses may be paid out only on duly itemized vouchers presented to the state
31 auditor and approved by the secretary of veterans affairs.

32 Section 4. There is hereby appropriated from the general fund the sum of one hundred sixty-
33 seven thousand dollars (\$167,000), or so much thereof as may be necessary, to the Department
34 of Veterans Affairs to be used for reimbursement of salary and expenses of veterans' service
35 officers in accordance with §§ 33A-1-16, 33A-1-30, and 33A-1-31.

1 Section 5. The secretary of veterans affairs shall approve vouchers and the state auditor shall
2 draw warrants to pay expenditures authorized by this Act.

3 Section 6. Any amounts appropriated in this Act not lawfully expended or obligated by
4 June 30, 2013, shall revert in accordance with the procedures prescribed in chapter 4-8."

5 Pursuant to Mason's Manual of Legislative Procedure, Sec. 401, paragraph 1, the Speaker
6 ruled Rep. Kloucek's amendment was not in order.

7 Rep. Kloucek announced his intention to file a dissent.

8 The question being "Shall SB 80 pass as amended?"

9 And the roll being called:

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

11 Yeas:

12 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
13 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
14 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones;
15 Killer; Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser;
16 Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum;
17 Russell; Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow;
18 Tulson; Turbiville; Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen;
19 Wismer; Speaker Rausch

20 Excused:

21 Wink

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

24 SB 146: FOR AN ACT ENTITLED, An Act to provide for an affirmative defense of
25 compulsion for the crime of prostitution.

26 Was read the second time.

27 The question being "Shall SB 146 pass?"

28 And the roll being called:

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

1 Yeas:

2 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
3 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
4 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones;
5 Killer; Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser;
6 Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum;
7 Russell; Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow;
8 Tulson; Turbiville; Van Gerpen; Vanneman; Venner; White; Wick; Willadsen; Wink; Wismer;
9 Speaker Rausch

10 Nays:

11 Verchio

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

14 Speaker Pro tempore Gosch now presiding.

15 SB 148: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to battery
16 committed against infants and unborn children.

17 Was read the second time.

18 The question being "Shall SB 148 pass?"

19 And the roll being called:

20 Yeas 68, Nays 1, Excused 1, Absent 0

21 Yeas:

22 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
23 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
24 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Jensen; Jones; Killer; Kirkeby;
25 Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson
26 (Stace); Novstrup (David); Olson (Betty); Perry; Rozum; Russell; Schaefer; Schrempp; Scott;
27 Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen;
28 Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

29 Nays:

30 Iron Cloud III

31 Excused:

32 Romkema

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

1 SB 187: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the
2 legislative review of state agencies.

3 Was read the second time.

4 The question being "Shall SB 187 pass as amended?"

5 And the roll being called:

6 Yeas 67, Nays 3, Excused 0, Absent 0

7 Yeas:

8 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
9 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
10 Hawley; Hickey; Hoffman; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer;
11 Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman;
12 Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Schaefer; Schrempp; Scott;
13 Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen;
14 Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

15 Nays:

16 Hubbel; Nelson (Stace); Russell

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

19 SB 130: FOR AN ACT ENTITLED, An Act to require the school board of each school
20 district to adopt a policy prohibiting bullying.

21 Was read the second time.

22 130cj

23 Rep. Russell moved that SB 130 be amended as follows:

24 On page 2 of the House Education Committee engrossed bill, delete lines 21 to 24,
25 inclusive, and insert:

26 " Section 4. The provisions of this Act do not create a cause of action against any school
27 district, school district employee, school volunteer, student, or parent for any actions taken or
28 any omissions that are not intentional."

29 On page 3, delete line 1.

30 Which motion lost.

1 130xa

2 Rep. Tornow moved that SB 130 be amended as follows:

3 On page 2 of the House Education Committee engrossed bill, delete lines 21 to 24,
4 inclusive, and insert:

5 " Section 4. The provisions of this Act do not create a cause of action against any school
6 district, school district employee, school volunteer, student, or parent for any actions taken or
7 any omissions that are not intentional if there has been substantial compliance with said policy."

8 On page 3, delete line 1.

9 Which motion lost.

10 The question being "Shall SB 130 pass as amended?"

11 And the roll being called:

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

13 Yeas:

14 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Deelstra; Dennert; Dryden;
15 Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Haggar; Hawley; Hickey; Hoffman; Hubbel;
16 Hunhoff (Bernie); Hunt; Iron Cloud III; Jones; Killer; Kirkeby; Kirschman; Kloucek; Lucas;
17 Lust; Magstadt; Miller; Moser; Munsterman; Novstrup (David); Perry; Romkema; Rozum;
18 Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum; Street; Stricherz; Tulson; Turbiville; Van
19 Gerpen; Vanneman; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

20 Nays:

21 Greenfield; Hansen (Jon); Jensen; Kopp; Liss; Nelson (Stace); Olson (Betty); Russell; Steele;
22 Tornow; Venner; Verchio

23 Excused:

24 Cronin

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

27 Rep. Lust moved that SB 77 be placed to follow SB 170 on today's calendar.

28 Which motion prevailed.

1 SB 139: FOR AN ACT ENTITLED, An Act to establish the Teach for America grant
2 program within the Department of Education and to make an appropriation therefor.

3 Was read the second time.

4 The question being "Shall SB 139 pass as amended?"

5 And the roll being called:

6 Yeas 61, Nays 9, Excused 0, Absent 0

7 Yeas:

8 Abdallah; Blake; Bolin; Boomgarden; Brunner; Conzet; Cronin; Deelstra; Dennert; Dryden;
9 Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Hansen (Jon); Hawley; Hickey; Hoffman;
10 Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby; Kirschman;
11 Kloucek; Kopp; Liss; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup
12 (David); Perry; Rozum; Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum; Street; Stricherz;
13 Tornow; Tulson; Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink;
14 Wismer; Speaker Rausch

15 Nays:

16 Carson; Greenfield; Haggar; Lucas; Olson (Betty); Romkema; Russell; Steele; Turbiville

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

19 SB 193: FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for
20 fiscal year 2012 and to declare an emergency.

21 Was read the second time.

22 The question being "Shall SB 193 pass as amended?"

23 And the roll being called:

24 Yeas 64, Nays 5, Excused 1, Absent 0

25 Yeas:

26 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Deelstra; Dennert; Dryden;
27 Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley;
28 Hickey; Hoffman; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby;
29 Kirschman; Kloucek; Kopp; Liss; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace);
30 Novstrup (David); Olson (Betty); Perry; Rozum; Schaefer; Schrempp; Scott; Sigdestad; Sly;
31 Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman; Venner;
32 Verchio; White; Wick; Willadsen; Wink; Wismer

1 Nays:
2 Cronin; Hubbel; Lucas; Romkema; Russell

3 Excused:
4 Speaker Rausch

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

7 SB 141: FOR AN ACT ENTITLED, An Act to revise the legal definition of the term,
8 domestic abuse.

9 Was read the second time.

10 141ya

11 Rep. Venner moved that SB 141 be amended as follows:

12 On page 1, line 9, of the House Judiciary Committee engrossed bill, after "relationship"
13 insert "with a person of the opposite sex".

14 On page 1, line 12, after "partners" insert "of the opposite sex".

15 On page 2, line 2, after "relationship" insert "with a person of the opposite sex".

16 On page 2, line 2, after "intimate relationship" insert "with a person of the opposite sex".

17 A roll call vote was requested and supported.

18 The question being on Rep. Venner's motion that SB 141 be amended.

19 And the roll being called:

20 Yeas 35, Nays 33, Excused 2, Absent 0

21 Yeas:
22 Bolin; Boomgarden; Brunner; Conzet; Gosch; Greenfield; Haggar; Hansen (Jon); Hickey;
23 Hoffman; Hubbel; Hunt; Jensen; Kirkeby; Kopp; Liss; Miller; Moser; Munsterman; Nelson
24 (Stace); Novstrup (David); Olson (Betty); Russell; Sly; Solum; Steele; Tornow; Tulson; Van
25 Gerpen; Vanneman; Venner; Verchio; Wick; Willadsen; Speaker Rausch

1 Nays:

2 Abdallah; Blake; Carson; Cronin; Deelstra; Dennert; Dryden; Elliott; Fargen; Feickert;
3 Feinstein; Gibson; Hawley; Hunhoff (Bernie); Iron Cloud III; Jones; Killer; Kirschman;
4 Kloucek; Lucas; Lust; Magstadt; Perry; Rozum; Schaefer; Schrempp; Scott; Sigdestad; Street;
5 Stricherz; Turbiville; Wink; Wismer

6 Excused:

7 Romkema; White

8 So the motion having received an affirmative vote of a majority of the members present,
9 the Speaker declared the motion carried and SB 141 was so amended.

10 The question being "Shall SB 141 pass as amended?"

11 And the roll being called:

12 Yeas 46, Nays 22, Excused 2, Absent 0

13 Yeas:

14 Abdallah; Blake; Boomgarden; Carson; Conzet; Deelstra; Dennert; Dryden; Elliott; Fargen;
15 Feickert; Feinstein; Gibson; Hansen (Jon); Hawley; Hickey; Hoffman; Hunhoff (Bernie); Iron
16 Cloud III; Jones; Killer; Kirkeby; Kirschman; Kloucek; Lucas; Lust; Magstadt; Moser;
17 Munsterman; Novstrup (David); Perry; Rozum; Schaefer; Schrempp; Scott; Sigdestad; Sly;
18 Solum; Street; Stricherz; Turbiville; Vanneman; Willadsen; Wink; Wismer; Speaker Rausch

19 Nays:

20 Bolin; Brunner; Cronin; Gosch; Greenfield; Haggar; Hubbel; Hunt; Jensen; Kopp; Liss; Miller;
21 Nelson (Stace); Olson (Betty); Russell; Steele; Tornow; Tulson; Van Gerpen; Venner; Verchio;
22 Wick

23 Excused:

24 Romkema; White

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

27 SB 149: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the
28 conditional release of persons charged with domestic abuse.

29 Was read the second time.

1 149rb

2 Rep. Hunt moved that SB 149 be amended as follows:

3 On page 2 of the House Judiciary Committee engrossed bill, delete lines 2 to 10, inclusive.

4 Which motion prevailed.

5 The question being "Shall SB 149 pass as amended?"

6 And the roll being called:

7 Yeas 64, Nays 3, Excused 3, Absent 0

8 Yeas:

9 Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden;
10 Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey;
11 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Jensen; Jones; Killer; Kirkeby; Kirschman;
12 Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace);
13 Novstrup (David); Olson (Betty); Perry; Rozum; Russell; Schaefer; Schrempp; Scott; Sigdestad;
14 Sly; Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman; Venner;
15 Verchio; Wick; Willadsen; Wink; Wismer; Speaker Rausch

16 Nays:

17 Abdallah; Elliott; Iron Cloud III

18 Excused:

19 Romkema; Solum; White

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

22 SB 183: FOR AN ACT ENTITLED, An Act to establish the elements of the offense of
23 juvenile sexting and to provide a penalty therefor.

24 Was read the second time.

25 The question being "Shall SB 183 pass as amended?"

26 And the roll being called:

27 Yeas 67, Nays 1, Excused 2, Absent 0

1 Yeas:

2 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
3 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
4 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones;
5 Killer; Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser;
6 Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum;
7 Schaefer; Schrempp; Scott; Sigdestad; Sly; Steele; Street; Stricherz; Tulson; Turbiville; Van
8 Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

9 Nays:

10 Tornow

11 Excused:

12 Russell; Solum

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

15 Rep. Lust moved that the House do now recess until 4:30 p.m., which motion prevailed and
16 at 3:39 p.m., the House recessed.

17 **RECESS**

18 The House reconvened at 4:30 p.m., the Speaker presiding.

19 Rep. Cronin moved that the House do now recess until 5:30 p.m., which motion prevailed
20 and at 4:40 p.m., the House recessed.

21 **RECESS**

22 The House reconvened at 5:30 p.m., the Speaker presiding.

23 SB 170: FOR AN ACT ENTITLED, An Act to repeal the large project development fund
24 and the appropriation therefor, to provide tax rebates for certain energy projects, to establish and
25 provide for the administration of the business incentive grant fund, and to make an appropriation
26 for the business incentive grant fund.

27 Was read the second time.

1 Rep. Lust moved that SB 170 be laid on the table.

2 The question being on Rep. Lust's motion that SB 170 be laid on the table.

3 And the roll being called:

4 Yeas 65, Nays 1, Excused 4, Absent 0

5 Yeas:

6 Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden;
7 Elliott; Fargen; Feickert; Gibson; Gosch; Haggar; Hawley; Hickey; Hoffman; Hubbel; Hunhoff
8 (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby; Kirschman; Kloucek; Kopp; Liss;
9 Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup (David); Olson
10 (Betty); Perry; Romkema; Rozum; Russell; Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum;
11 Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman; Venner;
12 Verchio; White; Wick; Wink; Wismer; Speaker Rausch

13 Nays:

14 Greenfield

15 Excused:

16 Abdallah; Feinstein; Hansen (Jon); Willadsen

17 So the motion having received an affirmative vote of a majority of the members-elect, the
18 Speaker declared the motion carried and SB 170 was tabled.

19 SB 77: FOR AN ACT ENTITLED, An Act to provide for the establishment of a
20 scholarship program for postsecondary technical institute students and to make an appropriation
21 therefor.

22 Was read the second time.

23 The question being "Shall SB 77 pass as amended?"

24 And the roll being called:

25 Yeas 65, Nays 4, Excused 1, Absent 0

26 Yeas:

27 Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Deelstra; Dennert; Dryden; Elliott;
28 Fargen; Feickert; Feinstein; Gibson; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey;
29 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby;
30 Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson
31 (Stace); Novstrup (David); Olson (Betty); Perry; Rozum; Schaefer; Schrempp; Scott; Sigdestad;
32 Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman;
33 Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

1 Nays:
2 Cronin; Gosch; Romkema; Russell

3 Excused:
4 Abdallah

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

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

8 **MESSAGES FROM THE SENATE**

9 MR. SPEAKER:

10 I have the honor to inform your honorable body that HB 1093, 1136, and 1242 were tabled.

11 Also MR. SPEAKER:

12 I have the honor to inform your honorable body that the Senate has adopted the report of
13 the Conference Committee on SB 99.

14 Respectfully,
15 Fee Jacobsen, Secretary

16 There being no objection, the House reverted to Order of Business No. 5.

17 **REPORTS OF STANDING COMMITTEES**

18 MR. SPEAKER:

19 The Committee on Legislative Procedure respectfully reports that HB 1017, 1018, 1051,
20 1117, 1130, 1156, 1164, 1178, 1199, 1254, and 1263 were delivered to his Excellency, the
21 Governor, for his approval at 9:40 a.m., February 28, 2012.

22 Also MR. SPEAKER:

23 The Committee on Legislative Procedure respectfully reports that HJR 1006 was delivered
24 to his Excellency, the Secretary of State, for filing at 9:40 a.m., February 28, 2012.

1 Also MR. SPEAKER:

2 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
3 and Enrolling has carefully compared HB 1045, 1059, 1179, and 1230 and finds the same
4 correctly enrolled.

5 Respectfully submitted,
6 Val Rausch, Chair

7 **SIGNING OF BILLS**

8 The Speaker publicly read the title to

9 HB 1045: FOR AN ACT ENTITLED, An Act to revise various trust provisions.

10 HB 1059: FOR AN ACT ENTITLED, An Act to revise Article 9 of the Uniform
11 Commercial Code, to make an appropriation, and to declare an emergency.

12 HB 1179: FOR AN ACT ENTITLED, An Act to require certain campaign finance
13 requirements to apply to all counties and municipalities.

14 HB 1230: FOR AN ACT ENTITLED, An Act to modify the publication requirements for
15 water rights applications.

16 SB 112: FOR AN ACT ENTITLED, An Act to remove the limitation on the number of
17 retail gaming licenses in Deadwood in which a person may have a financial interest.

18 SB 186: FOR AN ACT ENTITLED, An Act to update the definition of the nonsectarian
19 textbooks that are loaned to certain students to include digital materials.

20 SB 192: FOR AN ACT ENTITLED, An Act to make appropriations for the purpose of
21 one-time increases in education and health care funding.

22 And signed the same in the presence of the House.

23 **COMMEMORATIONS**

24 HC 1024 Introduced by: Representatives Kloucek, Blake, Bolin, Cronin, Deelstra, Dennert,
25 Feickert, Hawley, Hubbel, Jones, Lucas, Miller, Olson (Betty), Rausch, Sigdestad, Tulson,
26 Turbiville, and Wismer and Senators Putnam, Brown, Frerichs, Hunhoff (Jean), Johnston, and
27 Sutton

28 A LEGISLATIVE COMMEMORATION, Commending and honoring 2012 Miss Teen Great
29 Plains International Alaina Bertsch on her accomplishment.

1 WHEREAS, Alaina Bertsch was born on June 1, 1995, in Mitchell, South Dakota and is
2 currently a student in Mt. Vernon, South Dakota with a 3.5 GPA; and

3 WHEREAS, Alaina Bertsch was crowned 2012 Miss Teen Great Plains International in
4 which each contestant picks a platform to promote and Alaina chose dyslexia and other learning
5 disabilities; and

6 WHEREAS, Alaina Bertsch has dyslexia, which is a learning disability, and was placed into
7 a 504 Plan, where different strategies are used to help her: provide written notes by using a
8 planner to write down assignments, using color-film sheets, using closed captions, and having
9 tests and assignments read out loud and being a hands-on person; and

10 WHEREAS, Alaina Bertsch's mission is to promote better understanding and awareness of
11 dyslexia and other learning disabilities, to advocate for early screening for students and special
12 training for teachers, and to embrace others who have learning differences and help find ways
13 to raise and preserve their self-esteem; and

14 WHEREAS, Alaina Bertsch's other accomplishments in life include: Theater, One-Act Plays
15 Outstanding Actress Award of 2011; Oral Interp, featured singer of the 9-11 Patriotic Flag
16 Ceremony in Pierre, South Dakota; Miss Teen South Dakota International 2011; Miss
17 Congeniality and third runner-up in Miss South Dakota Teen USA 2012; Miss Teen Great
18 Plains in 2012; All-State Chorus Soprano Delegate in the fall of 2011; and Vocal Solo Contest,
19 Freshman, Sophomore, and Junior years, superior ratings; and

20 WHEREAS, Alaina Bertsch has put in her time and effort around her committee and
21 volunteering more than one hundred hours for Holy Family Church and is a part of the Learning
22 Disabilities of America South Dakota which promotes awareness of dyslexia and other learning
23 disabilities in our state:

24 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
25 the State of South Dakota, that Alaina Bertsch is honored and commemorated for being 2012
26 Miss Teen Great Plains International and all the work she does for the awareness of learning
27 disabilities.

28 HC 1025 Introduced by: Representatives Schaefer, Abdallah, Blake, Boomgarden, Brunner,
29 Carson, Conzet, Cronin, Deelstra, Dennert, Fargen, Feickert, Feinstein, Gibson, Gosch,
30 Greenfield, Haggar, Hansen (Jon), Hawley, Hickey, Hoffman, Hunhoff (Bernie), Hunt, Jensen,
31 Jones, Kirkeby, Kirschman, Kopp, Liss, Lucas, Lust, Miller, Moser, Munsterman, Nelson
32 (Stace), Novstrup (David), Perry, Romkema, Rozum, Russell, Scott, Sigdestad, Sly, Solum,
33 Steele, Street, Stricherz, Tornow, Tulson, Turbiville, Van Gerpen, Vanneman, Venner, Verchio,
34 White, Wick, Willadsen, Wink, and Wismer and Senators Juhnke, Adelstein, Bradford, Brown,
35 Buhl, Frerichs, Fryslie, Gray, Hansen (Tom), Haverly, Heineman, Johnston, Kraus, Krebs,
36 Maher, Olson (Russell), Peters, Putnam, Rempelberg, Rave, Rhoden, Sutton, Tidemann,
37 Tieszen, and Vehle

38 A LEGISLATIVE COMMEMORATION, Thanking and commending Sanford Health, the
39 University of South Dakota, and the Matson Halverson Christiansen Hamilton Foundation

1 for their tireless efforts to promote rural economic development in South Dakota by
2 assisting rural South Dakota's nontraditional students as they complete their healthcare
3 degrees through the Prairie Futures initiative.

4 WHEREAS, the Prairie Futures initiative assists nontraditional students in South Dakota
5 by providing numerous services including scholarships, tutoring, transportation, daycare,
6 mentoring, coaching, computers, and lab equipment; and

7 WHEREAS, each job created in the Sanford Chamberlain hospital creates another 0.44 jobs
8 in other businesses and industries in Brule County; and

9 WHEREAS, the direct impact of one hundred sixty-eight employees results in an indirect
10 and induced impact of seventy-four additional jobs in Brule County; and

11 WHEREAS, for each dollar of income generated by a hospital employee, another thirty-five
12 cents is generated in other businesses and industries in Brule County:

13 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
14 the State of South Dakota, that the South Dakota Legislature thanks and commends Sanford
15 Health, the University of South Dakota, and the Matson Halverson Christiansen Hamilton
16 Foundation for their tireless efforts to promote rural economic development in South Dakota
17 by assisting rural South Dakota's nontraditional students as they complete their healthcare
18 degrees through the Prairie Futures initiative.

19 HC 1026 Introduced by: Representatives Nelson (Stace), Hawley, Hunt, Kopp, Liss, Steele,
20 and Venner and Senators Nygaard and Brown

21 A LEGISLATIVE COMMEMORATION, Commending and honoring Specialist Tyler Eissler
22 for his selection as the South Dakota Army National Guard Soldier of the Year.

23 WHEREAS, the South Dakota Army National Guard consistently is ranked as one of the
24 best Army Guard units in the nation; and

25 WHEREAS, Specialist Eissler was selected as the Soldier of the Year of the South Dakota
26 Army National Guard after serving with honor and demonstrating great proficiency and
27 steadfast dedication; and

28 WHEREAS, as noted by his South Dakota Army National Guard state supervisors and
29 commanders, Specialist Eissler's dedication to duty and leadership exemplifies the total package
30 of Army core values; and

31 WHEREAS, Specialist Eissler's performance is in keeping with the highest traditions
32 established by South Dakota's many veterans and the United States Armed Forces; and

33 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
34 those who put their lives on the line to serve South Dakota and our great nation:

1 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
2 the State of South Dakota, that Specialist Tyler Eissler is congratulated and honored as a
3 recipient of the South Dakota Army National Guard Soldier of the Year award, is recognized
4 for his outstanding service and outstanding representation of the State of South Dakota, and is
5 extended best wishes for his continued success, happiness, and safety. Hooah!

6 HC 1027 Introduced by: Representatives Nelson (Stace), Hawley, Hunt, Kopp, Liss, Steele,
7 and Venner and Senators Nygaard and Brown

8 A LEGISLATIVE COMMEMORATION, Commending and honoring Sergeant James Dvorak
9 for his selection as the South Dakota Army National Guard Non-Commissioned Officer of
10 the Year.

11 WHEREAS, the South Dakota Army National Guard consistently is ranked as one of the
12 best Army Guard units in the nation; and

13 WHEREAS, Sergeant Dvorak was selected as the Non-Commissioned Officer of the Year
14 of the South Dakota Army National Guard after serving with honor and demonstrating great
15 proficiency and steadfast dedication; and

16 WHEREAS, as noted by his South Dakota Army National Guard state supervisors and
17 commanders, Sergeant Dvorak's dedication to duty and leadership exemplifies the total package
18 of Army core values; and

19 WHEREAS, Sergeant Dvorak's performance is in keeping with the highest traditions
20 established by South Dakota's many veterans and the United States Armed Forces; and

21 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
22 those who put their lives on the line to serve South Dakota and our great Nation:

23 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
24 the State of South Dakota, that Sergeant James Dvorak is congratulated and honored as a
25 recipient of the South Dakota Army National Guard Non-Commissioned Officer of the Year
26 award, is recognized for his outstanding service and outstanding representation of the State of
27 South Dakota, and is extended best wishes for his continued success, happiness, and safety.
28 Hooah!

29 HC 1028 Introduced by: Representatives Nelson (Stace), Hawley, Hunt, Kopp, Liss, Steele,
30 and Venner and Senators Nygaard and Brown

31 A LEGISLATIVE COMMEMORATION, Commending and honoring Technical Sergeant Scott
32 A. Richardson for his selection as the South Dakota Air National Guard Non-Commissioned
33 Officer of the Year.

34 WHEREAS, the South Dakota Air National Guard consistently is ranked as one of the best
35 Air Guard units in the nation; and

1 WHEREAS, Technical Sergeant Richardson was selected as the Non-Commissioned Officer
2 of the Year of the South Dakota Air National Guard after serving with honor and demonstrating
3 great proficiency and steadfast dedication; and

4 WHEREAS, as noted by his South Dakota Air National Guard state supervisors and
5 commanders, Technical Sergeant Richardson is dedicated to duty and leadership and
6 exemplifies the total package of Air Force core values; and

7 WHEREAS, Technical Sergeant Richardson's performance is in keeping with the highest
8 traditions established by South Dakota's many veterans and the United States Armed Forces; and

9 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
10 those who put their lives on the line to serve South Dakota and our great Nation:

11 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
12 the State of South Dakota, that Technical Sergeant Scott A. Richardson is congratulated and
13 honored as a recipient of the south Dakota Air National Guard Non-Commissioned Officer of
14 the Year award, is recognized for his outstanding service and outstanding representation of the
15 State of South Dakota, and is extended best wishes for his continued success, happiness, and
16 safety.

17 HC 1029 Introduced by: Representatives Nelson (Stace), Hawley, Hunt, Kopp, Liss, Steele,
18 and Venner and Senators Brown and Nygaard

19 A LEGISLATIVE COMMEMORATION, Commending and honoring Master Sergeant Adam
20 J. Punt for his selection as the South Dakota Air National Guard Senior Non-Commissioned
21 Officer of the Year.

22 WHEREAS, the South Dakota Air National Guard consistently is ranked as one of the best
23 Air Guard units in the nation; and

24 WHEREAS, Master Sergeant Punt was selected as the Senior Non-Commissioned Officer
25 of the Year of the South Dakota Air National Guard after serving with honor and demonstrating
26 great proficiency and steadfast dedication; and

27 WHEREAS, as noted by his South Dakota Air National Guard state supervisors and
28 commanders, Master Sergeant Punt is dedicated to duty and leadership and exemplifies the total
29 package of Air Force core values; and

30 WHEREAS, Master Sergeant Punt's performance is in keeping with the highest traditions
31 established by South Dakota's many veterans and the United States Armed Forces; and

32 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
33 those who put their lives on the line to serve South Dakota and our great nation:

34 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
35 the State of South Dakota, that Master Sergeant Adam J. Punt is congratulated and honored as

1 a recipient of the South Dakota Air National Guard Senior Non-Commissioned Officer of the
2 Year award, is recognized for his outstanding service and outstanding representation of the State
3 of South Dakota, and is extended best wishes for his continued success, happiness, and safety.

4 HC 1030 Introduced by: Representatives Nelson (Stace), Hawley, Hunt, Kopp, Liss, Steele,
5 and Venner and Senators Nygaard and Brown

6 A LEGISLATIVE COMMEMORATION, Commending and honoring Captain Chris Long for
7 his selection as South Dakota Army National Guard Lieutenant of the Year.

8 WHEREAS, the South Dakota Army National Guard consistently is ranked as one of the
9 best Army Guard units in the nation; and

10 WHEREAS, Captain Long was selected as the Lieutenant of the Year of the South Dakota
11 Army National Guard after serving with honor and demonstrating great proficiency and
12 steadfast dedication; and

13 WHEREAS, as noted by his South Dakota Army National Guard state supervisors and
14 commanders, Captain Long's dedication to duty and leadership exemplifies the total package
15 of Army core values; and

16 WHEREAS, Captain Long's performance is in keeping with the highest traditions
17 established by South Dakota's many veterans and the United States Armed Forces; and

18 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
19 those who put their lives on the line to serve South Dakota and our great nation:

20 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
21 the State of South Dakota, that Captain Chris Long is congratulated and honored as a recipient
22 of the South Dakota Army National Guard Lieutenant of the Year award, is recognized for his
23 outstanding service and outstanding representation of the State of South Dakota, and is extended
24 our best wishes for his continued success, happiness, and safety. Hooah!

25 HC 1031 Introduced by: Representatives Nelson (Stace), Hawley, Hunt, Kopp, Liss, Steele,
26 and Venner and Senators Brown and Nygaard

27 A LEGISLATIVE COMMEMORATION, Commending and honoring Master Sgt. Lisa G.
28 Eisenhower for her selection as the South Dakota Air National Guard Honor Guard Member
29 of the Year.

30 WHEREAS, the South Dakota Air National Guard consistently is ranked as one of the best
31 Air Guard units in the nation; and

32 WHEREAS, Master Sergeant Eisenhower was selected as the best honor guard member of
33 the South Dakota Air National Guard after serving with honor and demonstrating great
34 proficiency and steadfast dedication; and

1 WHEREAS, as noted by her South Dakota Air National Guard state supervisors and
2 commanders, Master Sergeant Eisenhower is dedicated to duty and leadership and exemplifies
3 the total package of Air Force core values; and

4 WHEREAS, Master Sergeant Eisenhower's performance is in keeping with the highest
5 traditions established by South Dakota's many veterans and the United States Armed Forces; and

6 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
7 those who put their lives on the line to serve South Dakota and our great Nation:

8 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
9 the State of South Dakota, that Master Sergeant Lisa G. Eisenhower is congratulated and
10 honored as a recipient of the South Dakota Air National Guard Honor Guard Member of the
11 Year award, is recognized for her outstanding service and outstanding representation of the State
12 of South Dakota, and is extended best wishes for her continued success, happiness, and safety.

13 HC 1032 Introduced by: Representatives Nelson (Stace), Hawley, Hunt, Kopp, Liss, Steele,
14 and Venner and Senators Brown and Nygaard

15 A LEGISLATIVE COMMEMORATION, Commending and honoring SrA Brittnie B. Bunkers
16 for her selection as the South Dakota Air National Guard Airman of the Year.

17 WHEREAS, the South Dakota Air National Guard consistently is ranked as one of the best
18 Air Guard units in the nation; and

19 WHEREAS, SrA Bunkers was selected as the best airman in the South Dakota Air National
20 Guard after serving with honor and demonstrating great proficiency and steadfast dedication;
21 and

22 WHEREAS, as noted by her South Dakota Air National Guard state supervisors and
23 commanders, SrA Bunkers is dedicated to duty and leadership and exemplifies the total package
24 of Air Force core values; and

25 WHEREAS, SrA Bunkers' performance is in keeping with the highest traditions established
26 by South Dakota's many veterans and the United States Armed Forces; and

27 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
28 those who put their lives on the line to serve South Dakota and our great Nation:

29 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
30 the State of South Dakota, that SrA Brittnie B. Bunkers is congratulated and honored as a
31 recipient of the South Dakota Air National Guard Airman of the Year award, is recognized for
32 her outstanding service and outstanding representation of the State of South Dakota, and is
33 extended best wishes for her continued success, happiness, and safety.

1 HC 1033 Introduced by: Representatives Nelson (Stace), Hawley, Hunt, Kopp, Liss, Steele,
2 and Venner and Senators Nygaard and Brown

3 A LEGISLATIVE COMMEMORATION, Commending and honoring Chief Warrant Officer
4 Three Brian Maschino for his selection as the South Dakota Army National Guard Warrant
5 Officer of the Year.

6 WHEREAS, South Dakota Army National Guard consistently is ranked as one of the best
7 Army Guard units in the nation; and

8 WHEREAS, Chief Warrant Officer Three Brian Maschino was selected as the Warrant
9 Officer of the Year of the South Dakota National Guard after serving with honor and
10 demonstrating great proficiency and steadfast dedication; and

11 WHEREAS, as noted by his South Dakota Army National Guard state supervisors and
12 commanders, Chief Warrant Officer Three Brian Maschino's dedication to duty and leadership
13 exemplifies the total package of Army core values; and

14 WHEREAS, Chief Warrant Officer Three Brian Maschino's performance is in keeping with
15 the highest traditions established by South Dakota's many veterans and the United States Armed
16 Forces; and

17 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
18 those who put their lives on the line to serve South Dakota and our great nation:

19 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
20 the State of South Dakota, that Chief Warrant Officer Three Brian Maschino is congratulated
21 and honored as a recipient of the South Dakota Army National Guard Warrant Officer of the
22 Year award, is recognized for his outstanding service and outstanding representation of the State
23 of South Dakota, and is extended our best wishes for his continued success, happiness, and
24 safety. Hooah!

25 HC 1034 Introduced by: Representatives Nelson (Stace), Hawley, Hunt, Kopp, Liss, Steele,
26 and Venner and Senators Brown and Nygaard

27 A LEGISLATIVE COMMEMORATION, Commending and honoring Master Sergeant Kenneth
28 A. Grunewaldt for his selection as the South Dakota Air National Guard First Sergeant of
29 the Year.

30 WHEREAS, the South Dakota Air National Guard consistently is ranked as one of the best
31 Air Guard units in the nation; and

32 WHEREAS, Master Sergeant Grunewaldt was selected as the First Sergeant of the Year of
33 the Dakota Air National Guard after serving with honor and demonstrating great proficiency and
34 steadfast dedication; and

1 WHEREAS, as noted by his South Dakota Air National Guard state supervisors and
2 commanders, Master Sergeant Grunewaldt is dedicated to duty and leadership and exemplifies
3 the total package of Air Force core values; and

4 WHEREAS, Master Sergeant Grunewaldt's performance is in keeping with the highest
5 traditions established by South Dakota's many veterans and the United States Armed Forces; and

6 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
7 those who put their lives on the line to serve South Dakota and our great nation:

8 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
9 the State of South Dakota, that Master Sergeant Kenneth A. Grunewaldt is congratulated and
10 honored as a recipient of the South Dakota Air National Guard First Sergeant of the Year award,
11 is recognized for his outstanding service and outstanding representation of the State of South
12 Dakota, and is extended best wishes for his continued success, happiness, and safety.

13 HC 1035 Introduced by: Representatives Deelstra, Hansen (Jon), Hickey, Hubbel, Nelson
14 (Stace), and Willadsen and Senators Peters, Rave, and Schlekeway

15 A LEGISLATIVE COMMEMORATION, Acknowledging, commending, and honoring the
16 West Central School District for its outstanding accomplishments.

17 WHEREAS, the 2011 West Central band members represented the State of South Dakota
18 in the oldest fourth of July parade in Bristol, Rhode Island; and

19 WHEREAS, the 2011 West Central soccer athletes and coaches won the State Class A Girls'
20 Championship; and

21 WHEREAS, the 2011 West Central track and field athletes and coaches won the State Class
22 A Girls' Championship; and

23 WHEREAS, the 2011 West Central track and field athletes and coaches won the State Class
24 A Girls' and Boy's Championship:

25 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
26 the State of South Dakota, that the West Central School District students, teachers, and coaching
27 staff be congratulated and commended for their outstanding performances in the 2011 season.

28 HC 1036 Introduced by: Representatives Nelson (Stace), Boomgarden, Gibson, Greenfield,
29 Jones, Lucas, Olson (Betty), and Wick and Senators Lederman and Haverly

30 A LEGISLATIVE COMMEMORATION, Honoring, commending, and thanking South Dakota
31 Highway Patrol Trooper Brent Saucerman for ten years of providing security at the South
32 Dakota Capitol Complex.

1 WHEREAS, Trooper Saucerman first provided security for the South Dakota Capitol
2 Complex as a Capitol Complex police officer and assisted in setting up security policies and
3 procedures to ensure security for the visitors to the Capitol, which he continued during his six
4 and one-half years tenure as a South Dakota Highway Patrol Trooper; and

5 WHEREAS, during his tenure as a Capitol Complex police officer and South Dakota
6 Highway Patrol Trooper, he provided security for significant statewide events including the
7 Korean War Memorial dedication, the Vietnam War Memorial dedication, public viewing of
8 the new Governor's Residence, and former Governor Janklow's memorial services at the
9 Capitol, all the while befriending Capitol personnel and South Dakotans from across the state;
10 and

11 WHEREAS, the actions and performance of Trooper Saucerman were instrumental in
12 establishing and maintaining the highest traditions of the troopers of the South Dakota Highway
13 Patrol:

14 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
15 the State of South Dakota, that the Legislature commends South Dakota Highway Patrol
16 Trooper Brent Saucerman, thanks him for his outstanding service to the State of South Dakota,
17 and extends best wishes for his continued success, happiness, and safety.

18 HC 1037 Introduced by: Representatives Dennert, Brunner, Hoffman, Kloucek, Kopp,
19 Schaefer, Scott, Sigdestad, Street, Van Gerpen, Vanneman, and Verchio and Senators Hansen
20 (Tom), Begalka, Frerichs, Fryslie, Krebs, Maher, Rampelberg, Rhoden, and Vehle

21 A LEGISLATIVE COMMEMORATION, Honoring and recognizing seventy-five years of
22 conservation leadership.

23 WHEREAS, the Dirty Thirties were epitomized by rolling dust storms, dirt-clogged fence
24 lines, and hardship caused in part by inadequate conservation practices; and

25 WHEREAS, the 1937 South Dakota Legislature recognized the urgent need for local
26 leadership to conserve our natural resources and enacted HB 206 allowing South Dakotans to
27 organize conservation districts through petition and referendum; and

28 WHEREAS, all of South Dakota's lands became part of conservation districts in 1972 when
29 the city of Freeman elected to be included; and

30 WHEREAS, the conservation district mission is to take all available technical, financial, and
31 educational resources and focus or coordinate them so they meet the needs of the local land
32 manager with conservation of soil, water, and related natural resources; and

33 WHEREAS, South Dakota's conservation districts have provided seventy-five years of vital
34 local leadership encouraging stewardship of the natural resources, which are our state's
35 economic base; and

1 WHEREAS, every South Dakotan, urban and rural, benefits from efforts to improve soil
2 health, water quality, air quality, plant diversity, and habitat for wild and domestic animals; and

3 WHEREAS, conservation involves personal and social responsibility, including a duty to
4 learn about and improve natural resources as we use them wisely, leaving a rich legacy for
5 future generations:

6 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
7 the State of South Dakota, that the Legislature salutes our state's current and previous
8 conservation district leaders and recognizes the economic, social, and recreational importance
9 of natural resources conservation to the entire state.

10 HC 1038 Introduced by: Representatives Nelson (Stace), Hansen (Jon), and Kloucek and
11 Senator Putnam

12 A LEGISLATIVE COMMEMORATION, Honoring Dr. Carol Pistulka, superintendent of the
13 McCook Central School District, on her retirement after dedicated service to the youth and
14 families of the McCook Central School District.

15 WHEREAS, Dr. Pistulka graduated from Parker High School in 1961 and Mount Marty
16 College in 1990 with a BA in elementary education. She earned her Master's in special
17 education from the University of South Dakota in 1991 and then an Education Specialist degree
18 in educational administration. In 2004, she earned a Doctorate of Education from USD; and

19 WHEREAS, Dr. Pistulka started with the McCook Central School District in 1991 at
20 Spencer. She moved to the district's Salem site and later accepted the Elementary Principal
21 position in 1995. She became Superintendent of McCook Central School District in 2006; and

22 WHEREAS, Dr. Pistulka's many accomplishments include reducing classroom size by
23 implementing multiage classrooms, service on the McCook County Child Protection Team, and
24 implementing preschool and junior kindergarten programs for early identification and
25 intervention for children with disabilities. Dr. Pistulka has been involved with the maintenance
26 and renovation of numerous school facilities and was instrumental in starting a breakfast
27 program and an after-school program which she personally supervised; and

28 WHEREAS, Dr. Pistulka, with the generous support of her husband, Duane, and children,
29 Craig, Damon, Brian, and Tina, has blessed the McCook community with her tireless public
30 service and personal generosity these many years; and

31 WHEREAS, Dr. Pistulka has been a great mentor, superintendent, principal, teacher, and
32 friend to those she worked with, and the students in her charge:

33 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
34 the State of South Dakota, that the Legislature thanks and honors Dr. Carol Pistulka for her
35 outstanding lifetime commitment to public education and wishes her well in her retirement.

1 HC 1039 Introduced by: Representatives Gibson, Blake, Bolin, Boomgarden, Carson,
2 Conzet, Cronin, Deelstra, Dennert, Dryden, Fargen, Feickert, Feinstein, Greenfield, Haggar,
3 Hansen (Jon), Hawley, Hickey, Hoffman, Hubbel, Hunhoff (Bernie), Hunt, Jensen, Jones,
4 Killer, Kirkeby, Kirschman, Kopp, Lucas, Lust, Miller, Moser, Munsterman, Nelson (Stace),
5 Novstrup (David), Olson (Betty), Perry, Romkema, Russell, Schaefer, Scott, Sigdestad, Solum,
6 Steele, Street, Stricherz, Tornow, Tulson, Turbiville, Van Gerpen, Vanneman, Venner, Verchio,
7 Wick, Willadsen, Wink, and Wismer and Senators Hansen (Tom), Adelstein, Begalka,
8 Bradford, Brown, Buhl, Frerichs, Fryslie, Gray, Heineman, Holien, Juhnke, Kraus, Lederman,
9 Nelson (Tom), Novstrup (Al), Peters, Putnam, Rampelberg, Sutton, Tidemann, and Vehle

10 A LEGISLATIVE COMMEMORATION, Commending and honoring Darin Peterka of Miller
11 High School for his outstanding athletic performance.

12 WHEREAS, the student athlete Darin Peterka of Miller High School has broken the fifty-
13 five year old Miller High School basketball career point scoring record of 1,385 points; and

14 WHEREAS, Darin has shown exemplary patience, dedication, and tenacity in his
15 participation in athletics and has received much support from his teammates; and

16 WHEREAS, all members of the Miller High School basketball coaching staff facilitated and
17 cultivated the physical, mental, and emotional growth and development of the student athletes:

18 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
19 the State of South Dakota, that the Legislature congratulates Darin Peterka on the success of
20 his outstanding athletic performance.

21 Rep. Turbiville moved that the House do now adjourn, which motion prevailed and at
22 5:56 p.m. the House adjourned.

23

Karen Gerdes, Chief Clerk