

# JOURNAL OF THE SENATE

## EIGHTY-SEVENTH SESSION

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SEVENTH DAY

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STATE OF SOUTH DAKOTA  
Senate Chamber, Pierre  
Monday, January 23, 2012

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

The prayer was offered by the Chaplain, Rev. Sarah Goldammer, followed by the Pledge of Allegiance led by Senate pages Elizabeth Bogue and Elana Schoeneman.

Roll Call: All members present.

### APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the sixth 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,  
Bob Gray, Chair

Which motion prevailed.

1 The oath of office was administered by the President to the following named persons:

2 Pages – Elizabeth Bogue, Dacey Bryan, Noah Cozad, Luke Crance, Monica Gutierrez,  
3 Joseph Knofczynski, Sean Meginness, Elana Schoeneman, Seth Smith, Kirsten Titze, Thomas  
4 Tolton

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

6 **REPORTS OF STANDING COMMITTEES**

7 MR. PRESIDENT:

8 The Committee on Transportation respectfully reports that it has had under consideration  
9 SB 16 and 17 and returns the same with the recommendation that said bills do pass and be  
10 placed on the consent calendar.

11 Respectfully submitted,  
12 Mike Vehle, Chair

13 Also MR. PRESIDENT:

14 The Committee on Taxation respectfully reports that it has had under consideration SB 61  
15 and returns the same with the recommendation that said bill do pass.

16 Also MR. PRESIDENT:

17 The Committee on Taxation respectfully reports that it has had under consideration SB 20,  
18 which was removed from the table, and returns the same with the recommendation that said bill  
19 be amended as follows:

20 20fb

21 On page 2 of the printed bill, delete lines 1 to 12, inclusive, and insert:

22 "(5) Officers, employees, or legal representatives of any other state agency or department  
23 or political subdivision of the state for a civil or criminal law enforcement activity, if  
24 ~~the head~~ of the agency, department, or political subdivision desiring such information  
25 has made a written request to the secretary specifying the particular information  
26 desired and the law enforcement activity for which the information is sought;

27 (6) Officers, employees, or legal representatives of the commission on gaming and the  
28 lottery commission for the purpose of, and only to the extent necessary for, the  
29 administration of chapters 42-7A and 42-7B."

1 20fta

2 On page 1, line 1, delete everything after "to" and insert "allow returns and return  
3 information to be disclosed".

4 On page 1, line 2, delete everything before "to".

5 And that as so amended said bill do pass.

6 Also MR. PRESIDENT:

7 The Committee on Taxation respectfully reports that it has had under consideration the  
8 nomination of Andy Gerlach of Hughes County, Pierre, South Dakota, to the position of  
9 Secretary of the Department of Revenue and returns the same with the recommendation that the  
10 Senate advise and consent to the confirmation of said appointment.

11 Respectfully submitted,  
12 Tom Hansen, Chair

13 Also MR. PRESIDENT:

14 The Committee on Health and Human Services respectfully reports that it has had under  
15 consideration SB 14 and returns the same with the recommendation that said bill do pass.

16 Also MR. PRESIDENT:

17 The Committee on Health and Human Services respectfully reports that it has had under  
18 consideration SB 15 and returns the same with the recommendation that said bill be amended  
19 as follows:

20 15jb

21 On page 11, line 19, of the printed bill, delete "~~§ 27A-8-18 or §§ 27A-8-2 and~~" and insert  
22 "~~§ 27A-8-18 or~~ section 13 of this Act and §".

23 15ja

24 On page 18, line 1, of the printed bill, after "." insert "Any law enforcement officer who  
25 in good faith performs any act of taking custodial charge, transportation, delivery, or other  
26 commitment procedure at the request of or direction of another under the provisions of this Act  
27 is immune from any civil liability that might otherwise be incurred or imposed. The immunity  
28 from civil liability under this section does not apply if a resulting injury was due to willful or  
29 wanton misconduct."

30 And that as so amended said bill do pass.

1 Also MR. PRESIDENT:

2 The Committee on Health and Human Services respectfully reports that it has had under  
3 consideration the nomination of Laurie Gill of Hughes County, South Dakota, to the position  
4 of Secretary of the Department of Human Services and returns the same with the  
5 recommendation that the Senate advise and consent to the confirmation of said appointment.

6 Respectfully submitted,  
7 Jean M. Hunhoff, Chair

8 Also MR. PRESIDENT:

9 The Committee on State Affairs respectfully reports that it has had under consideration the  
10 nomination of Alan D. Ruhlman of Brown County, Aberdeen, South Dakota, to the Career  
11 Service Commission and returns the same with the recommendation that the Senate advise and  
12 consent to the confirmation of said appointment and that said confirmation be placed on the  
13 consent calendar.

14 Also MR. PRESIDENT:

15 The Committee on State Affairs respectfully reports that it has had under consideration the  
16 nomination of Matthew Michels of Yankton County, Yankton, South Dakota, to the position  
17 of Interim Secretary of the Department of Veterans Affairs and returns the same with the  
18 recommendation that the Senate advise and consent to the confirmation of said appointment.

19 Also MR. PRESIDENT:

20 The Committee on State Affairs respectfully reports that it has had under consideration the  
21 nomination of Jeffrey P. Marlette of Pennington County, Box Elder, South Dakota, to the  
22 position of Assistant Adjutant General, Army, and returns the same with the recommendation  
23 that the Senate advise and consent to the confirmation of said appointment.

24 Also MR. PRESIDENT:

25 The Committee on State Affairs respectfully reports that it has had under consideration the  
26 nomination of Leroy LaPlante of Clay County, Vermillion, South Dakota, to the position of  
27 Secretary of the Department of Tribal Relations and returns the same with the recommendation  
28 that the Senate advise and consent to the confirmation of said appointment.

1 Also MR. PRESIDENT:

2 The Committee on State Affairs respectfully reports that it has had under consideration the  
3 nomination of James Hagen of Hughes County, Pierre, South Dakota, to the position of  
4 Secretary of the Department of Tourism and returns the same with the recommendation that the  
5 Senate advise and consent to the confirmation of said appointment.

6 Respectfully submitted,  
7 Larry Rhoden, Chair

8 **MESSAGE FROM THE HOUSE**

9 MR. PRESIDENT:

10 I have the honor to transmit herewith HB 1001, 1003, 1011, 1013, 1014, 1019, 1022, 1023,  
11 1025, and 1032 which have passed the House and your favorable consideration is respectfully  
12 requested.

13 Respectfully,  
14 Karen Gerdes, Chief Clerk

15 **MOTIONS AND RESOLUTIONS**

16 Sen. Olson moved that SB 30 be deferred to Wednesday, January 25, the 9<sup>th</sup> legislative day.

17 Which motion prevailed.

18 Sen. Olson moved that SB 42 be deferred to Tuesday, January 24, the 8<sup>th</sup> legislative day.

19 Which motion prevailed.

20 **CONSIDERATION OF REPORT OF COMMITTEE**

21 Sen. Olson moved that the report of the Standing Committee on

22 Health and Human Services on SB 6 as found on page 92 of the Senate Journal be adopted.

23 Which motion prevailed.

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

2 SB 73 Introduced by: Senators Kraus, Novstrup (Al), and Nygaard and Representatives  
3 Wick, Greenfield, Hunt, and Willadsen

4 FOR AN ACT ENTITLED, An Act to repeal the provisions regarding the assessment of  
5 real property located in a floodplain.

6 Was read the first time and referred to the Committee on Taxation.

7 SB 74 Introduced by: Senators Kraus, Bradford, Cutler, Gray, Hansen (Tom), Haverly,  
8 Maher, Schlekeway, and Tieszen and Representatives Munsterman, Abdallah, Deelstra, Hickey,  
9 Lucas, Lust, Novstrup (David), Olson (Betty), Rausch, Romkema, Sigdestad, Sly, Tornow,  
10 Verchio, and Willadsen

11 FOR AN ACT ENTITLED, An Act to require the direct billing of anatomic pathology  
12 services.

13 Was read the first time and referred to the Committee on Health and Human Services.

14 SB 75 Introduced by: Senators Kraus, Maher, Nelson (Tom), and Novstrup (Al) and  
15 Representatives Willadsen and Hunt

16 FOR AN ACT ENTITLED, An Act to revise the determination of fees that may be charged  
17 for certain public records.

18 Was read the first time and referred to the Committee on Local Government.

19 SB 76 Introduced by: Senators Olson (Russell), Brown, Frerichs, Johnston, Maher,  
20 Novstrup (Al), Peters, and Rhoden and Representatives Kirkeby, Abdallah, Boomgarden,  
21 Cronin, Deelstra, Dryden, Gibson, Kloucek, Munsterman, Nelson (Stace), Olson (Betty),  
22 Rausch, Sigdestad, Turbiville, and Willadsen

23 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the retirement  
24 of justices and judges.

25 Was read the first time and referred to the Committee on Judiciary.

26 SB 77 Introduced by: Senator Olson (Russell) and Representative Fargen

27 FOR AN ACT ENTITLED, An Act to provide for the establishment of a scholarship  
28 program for postsecondary technical institute students and to make an appropriation therefor.

1 Was read the first time and referred to the Committee on Education.

2 SB 78 Introduced by: Senators Olson (Russell), Johnston, Krebs, Nygaard, Peters,  
3 Rampelberg, and Vehle and Representatives Fargen, Blake, Gibson, Hansen (Jon), Killer,  
4 Kirkeby, Lucas, Sigdestad, Stricherz, and Tornow

5 FOR AN ACT ENTITLED, An Act to allow an arrest to be expunged when the criminal  
6 case is dismissed.

7 Was read the first time and referred to the Committee on Judiciary.

8 SB 79 Introduced by: Senators Brown, Holien, Olson (Russell), Peters, and Tidemann and  
9 Representatives Cronin, Hansen (Jon), and Venner

10 FOR AN ACT ENTITLED, An Act to require undergraduate students to pay the self-  
11 support rate of tuition for certain credit hours in excess of the credit hours required for the  
12 student's baccalaureate degree program.

13 Was read the first time and referred to the Committee on Education.

14 SB 80 Introduced by: Senators Brown and Haverly and Representatives Cronin, Gosch, and  
15 Hawley

16 FOR AN ACT ENTITLED, An Act to exempt motor vehicles owned by certain active duty  
17 military servicemembers from the motor vehicle excise tax.

18 Was read the first time and referred to the Committee on Transportation.

19 SB 81 Introduced by: Senators Brown and Haverly and Representatives Cronin, Gosch,  
20 Hansen (Jon), and Hawley

21 FOR AN ACT ENTITLED, An Act to provide for a special license plate for certain persons  
22 on active duty in the military.

23 Was read the first time and referred to the Committee on Transportation.

24 SB 82 Introduced by: Senators Brown, Haverly, Novstrup (Al), Peters, and Tidemann and  
25 Representatives Cronin, Bolin, Dennert, Dryden, Olson (Betty), and Wink

26 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the unclaimed  
27 property trust fund.

28 Was read the first time and referred to the Committee on Appropriations.

1 SB 83 Introduced by: Senators Tidemann, Brown, Frerichs, Haverly, Novstrup (Al), Peters,  
2 Putnam, Rhoden, and Vehle and Representatives White, Brunner, Carson, Dennert, Kirkeby,  
3 Kopp, Moser, Munsterman, Perry, Sigdestad, Street, Wink, and Wismer

4 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to water  
5 development districts.

6 Was read the first time and referred to the Committee on Agriculture and Natural  
7 Resources.

8 SB 84 Introduced by: Senators Tidemann, Gray, Lederman, and Olson (Russell) and  
9 Representatives Perry, Cronin, Hansen (Jon), Hoffman, and Munsterman

10 FOR AN ACT ENTITLED, An Act to allow for the reimbursement of travel expenses  
11 during the recruitment of certain professional staff.

12 Was read the first time and referred to the Committee on Appropriations.

13 SB 85 Introduced by: Senators Tidemann, Gray, Haverly, Hunhoff (Jean), Kraus, Krebs,  
14 Nelson (Tom), Peters, Rampelberg, Rave, and Tieszen and Representatives Dryden, Abdallah,  
15 Brunner, Conzet, Gosch, Hunt, Kirkeby, Lust, Romkema, Solum, Tornow, Turbiville, and  
16 White

17 FOR AN ACT ENTITLED, An Act to revise the calculation of the small school adjustment  
18 in the state aid to education formula, and to provide for the redistribution of certain funds  
19 appropriated for state aid to education.

20 Was read the first time and referred to the Committee on Education.

21 SB 86 Introduced by: Senators Tidemann, Brown, Frerichs, Haverly, Hunhoff (Jean),  
22 Peters, Putnam, Rhoden, and Vehle and Representatives Kirkeby, Brunner, Dennert, Gibson,  
23 Hansen (Jon), Moser, Munsterman, Perry, Turbiville, and Wink

24 FOR AN ACT ENTITLED, An Act to grant limited immunity from arrest and prosecution  
25 for certain alcohol consumption related offenses to persons who assist certain persons in need  
26 of emergency assistance or who are themselves in need of emergency assistance.

27 Was read the first time and referred to the Committee on Judiciary.

28 SB 87 Introduced by: Senators Haverly, Adelstein, Brown, Fryslie, Holien, Johnston,  
29 Nygaard, Peters, Putnam, Rampelberg, and Tidemann and Representatives Cronin, Carson,  
30 Conzet, Kirkeby, Moser, Perry, Stricherz, Turbiville, Wick, and Wink

1 FOR AN ACT ENTITLED, An Act to allow military spouses to receive unemployment  
2 compensation if they leave their jobs due to a spouse's military transfer.

3 Was read the first time and referred to the Committee on Commerce and Energy.

4 SB 88 Introduced by: Senators Juhnke, Bradford, and Sutton and Representatives Schaefer,  
5 Brunner, Olson (Betty), and Scott

6 FOR AN ACT ENTITLED, An Act to revise the allowable time periods for use of  
7 nonresident small game hunting licenses.

8 Was read the first time and referred to the Committee on Agriculture and Natural  
9 Resources.

10 SB 89 Introduced by: Senators Novstrup (Al), Brown, and Kraus and Representatives Wick  
11 and Greenfield

12 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding a municipality's  
13 ability to specially assess property for street maintenance.

14 Was read the first time and referred to the Committee on Local Government.

15 SB 90 Introduced by: Senators Novstrup (Al), Peters, and Tidemann and Representatives  
16 Bolin, Dryden, and Romkema at the request of the Office of the Secretary of State

17 FOR AN ACT ENTITLED, An Act to establish a fee for payments returned to the Office  
18 of the Secretary of State due to insufficient funds and to provide for the distribution of the fee.

19 Was read the first time and referred to the Committee on Appropriations.

20 SB 91 Introduced by: Senators Novstrup (Al), Kraus, and Peters and Representative Wick

21 FOR AN ACT ENTITLED, An Act to allow shareholders of subchapter S corporations to  
22 represent the corporation in property tax appeals at the Office of Hearing Examiners.

23 Was read the first time and referred to the Committee on Taxation.

24 SB 92 Introduced by: Senators Novstrup (Al), Begalka, Brown, Cutler, Peters, and Rhoden  
25 and Representatives Wick, Brunner, Feickert, Greenfield, Hickey, Hunhoff (Bernie), and  
26 Novstrup (David)

27 FOR AN ACT ENTITLED, An Act to exempt certain funeral services and expenses from  
28 sales and use tax.

1 Was read the first time and referred to the Committee on Taxation.

2 SB 93 Introduced by: Senators Peters, Bradford, Brown, Frerichs, Gray, Hansen (Tom),  
3 Haverly, Holien, Hunhoff (Jean), Kraus, Krebs, Lederman, Novstrup (Al), Olson (Russell),  
4 Putnam, Rampelberg, Rhoden, and Tidemann and Representatives Gosch, Bolin, Brunner,  
5 Carson, Conzet, Cronin, Deelstra, Dryden, Fargen, Hansen (Jon), Hickey, Hunhoff (Bernie),  
6 Kirkeby, Lust, Munsterman, Novstrup (David), Olson (Betty), Rausch, Romkema, Solum,  
7 Turbiville, and Willadsen

8 FOR AN ACT ENTITLED, An Act to provide for the withdrawal of referred measures in  
9 certain circumstances.

10 Was read the first time and referred to the Committee on State Affairs.

11 SB 94 Introduced by: Senators Peters, Brown, Haverly, Holien, Juhnke, Kraus, Lederman,  
12 Maher, Nelson (Tom), Novstrup (Al), Olson (Russell), Rampelberg, Rhoden, Schlekeway,  
13 Sutton, and Tidemann and Representatives Hawley, Abdallah, Boomgarden, Brunner, Conzet,  
14 Cronin, Deelstra, Dryden, Gibson, Gosch, Hansen (Jon), Hickey, Kirkeby, Kopp, Lucas,  
15 Magstadt, Moser, Munsterman, Olson (Betty), Perry, Rausch, Romkema, Solum, Street,  
16 Turbiville, White, and Willadsen

17 FOR AN ACT ENTITLED, An Act to establish a pilot uninsured motorist identification  
18 database program and to make an appropriation therefor.

19 Was read the first time and referred to the Committee on Commerce and Energy.

20 SB 95 Introduced by: Senators Begalka, Frerichs, Fryslie, Hansen (Tom), Hundstad,  
21 Nygaard, and Vehle and Representatives Rausch, Fargen, Kirkeby, Kloucek, Scott, Sigdestad,  
22 and Street

23 FOR AN ACT ENTITLED, An Act to modify distributions from the wind energy tax fund.

24 Was read the first time and referred to the Committee on Taxation.

25 SB 96 Introduced by: Senator Maher and Representative Brunner

26 FOR AN ACT ENTITLED, An Act to provide the assessment and payment of taxes on  
27 certain school and endowment mineral rights leases.

28 Was read the first time and referred to the Committee on Commerce and Energy.

29 SB 97 Introduced by: Senators Maher, Krebs, and Rhoden and Representatives Schrempp,  
30 Fargen, Hawley, Olson (Betty), and Wink

1 FOR AN ACT ENTITLED, An Act to require the payment of a surface access fee for oil  
2 and gas exploration and production.

3 Was read the first time and referred to the Committee on Commerce and Energy.

4 SB 98 Introduced by: Senators Johnston, Schlekeway, and Tieszen and Representatives  
5 Perry and Munsterman

6 FOR AN ACT ENTITLED, An Act to provide for a pilot program initiating two  
7 mathematics and science academies and to make an appropriation therefor.

8 Was read the first time and referred to the Committee on Education.

9 SB 99 Introduced by: Senators Hansen (Tom), Bradford, and Johnston and Representatives  
10 White and Gibson

11 FOR AN ACT ENTITLED, An Act to provide for a temporary suspension of certain  
12 licenses relating to alcoholic beverages under emergency conditions.

13 Was read the first time and referred to the Committee on Commerce and Energy.

14 SB 100 Introduced by: Senators Hansen (Tom), Begalka, Brown, Cutler, Frerichs, Fryslie,  
15 Gray, Hundstad, Hunhoff (Jean), Johnston, Krebs, Lederman, Maher, Novstrup (Al), Nygaard,  
16 Olson (Russell), Putnam, Rampelberg, Rave, Rhoden, Schlekeway, Sutton, Tidemann, and  
17 Vehle and Representatives White, Abdallah, Boomgarden, Brunner, Cronin, Dennert, Fargen,  
18 Gosch, Hoffman, Hunhoff (Bernie), Kirkeby, Kirschman, Kloucek, Magstadt, Munsterman,  
19 Novstrup (David), Rausch, Schaefer, Sigdestad, Solum, Street, Vanneman, and Wick

20 FOR AN ACT ENTITLED, An Act to modify the ethanol production incentive payment  
21 to include qualified producers of biobutanol.

22 Was read the first time and referred to the Committee on Taxation.

23 SB 101 Introduced by: Senators Hansen (Tom), Frerichs, Gray, Juhnke, Maher, and  
24 Novstrup (Al) and Representatives Kirkeby, Cronin, Fargen, Munsterman, and Street

25 FOR AN ACT ENTITLED, An Act to authorize counties and townships to borrow money  
26 using promissory notes.

27 Was read the first time and referred to the Committee on Local Government.

28 SB 102 Introduced by: Senators Vehle, Begalka, Frerichs, Fryslie, Hansen (Tom), and  
29 Hundstad and Representatives Rozum, Hickey, Kirkeby, Rausch, Scott, Sigdestad, and Street

1 FOR AN ACT ENTITLED, An Act to clarify the procedures for the apportionment of  
2 funds among townships.

3 Was read the first time and referred to the Committee on Local Government.

4 SB 103 Introduced by: Senators Krebs, Frerichs, Fryslie, Hansen (Tom), Juhnke, Maher,  
5 and Nygaard and Representatives Vanneman, Boomgarden, Brunner, Dennert, Fargen, Gibson,  
6 Sigdestad, Solum, and Willadsen

7 FOR AN ACT ENTITLED, An Act to revise the procedure for cooperatives giving notice  
8 to persons whose records are missing regarding ownership of securities, apportionment of equity  
9 interest, money, or property.

10 Was read the first time and referred to the Committee on Commerce and Energy.

11 SB 104 Introduced by: Senators Gray, Frerichs, Johnston, and Maher and Representatives  
12 Turbiville, Fargen, Jones, and Scott

13 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the investment  
14 of public funds.

15 Was read the first time and referred to the Committee on State Affairs.

16 SB 105 Introduced by: Senator Olson (Russell) and Representative Lust

17 FOR AN ACT ENTITLED, An Act to impact education in South Dakota.

18 Was read the first time and referred to the Committee on State Affairs.

19 SB 106 Introduced by: Senators Novstrup (Al), Brown, and Heineman and Representatives  
20 Moser, Wick, and Willadsen

21 FOR AN ACT ENTITLED, An Act to require the disclosure of certain public employee  
22 contracts.

23 Was read the first time and referred to the Committee on Education.

24 SB 107 Introduced by: Senators Nelson (Tom), Krebs, Lederman, Putnam, and Tieszen and  
25 Representatives Cronin, Abdallah, Kirkeby, Rozum, Solum, Turbiville, and Verchio

26 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding personalized  
27 motor vehicle license plates.

1 Was read the first time and referred to the Committee on Transportation.

2 SB 108 Introduced by: Senators Nelson (Tom), Adelstein, Lederman, Maher, and  
3 Rampelberg and Representatives Hoffman, Abdallah, Romkema, Rozum, Solum, Turbiville,  
4 and Verchio

5 FOR AN ACT ENTITLED, An Act to revise the maximum bet limit for Deadwood  
6 gaming.

7 Was read the first time and referred to the Committee on Commerce and Energy.

8 SB 109 Introduced by: Senators Nelson (Tom), Lederman, Maher, and Rampelberg and  
9 Representatives Verchio and Willadsen

10 FOR AN ACT ENTITLED, An Act to revise the definition of adjusted gross proceeds that  
11 are subject to the Deadwood gaming gross revenue tax.

12 Was read the first time and referred to the Committee on Commerce and Energy.

13 SB 110 Introduced by: Senators Nelson (Tom), Lederman, and Nygaard and  
14 Representatives Turbiville, Gibson, Kirkeby, and Munsterman

15 FOR AN ACT ENTITLED, An Act to increase the maximum occupational tax that may  
16 be imposed on transient guests for business improvement districts.

17 Was read the first time and referred to the Committee on Taxation.

18 SB 111 Introduced by: Senators Nelson (Tom), Juhnke, and Lederman and Representatives  
19 Romkema, Abdallah, Kirkeby, Rozum, Russell, and Stricherz

20 FOR AN ACT ENTITLED, An Act to provide a deduction of certain mining permit fees  
21 for taxes paid on the mining of precious metals.

22 Was read the first time and referred to the Committee on Taxation.

23 SB 112 Introduced by: Senators Nelson (Tom), Juhnke, Krebs, Lederman, Maher, and  
24 Rampelberg and Representatives Turbiville, Abdallah, Gibson, Kirkeby, Romkema, Stricherz,  
25 and Willadsen

26 FOR AN ACT ENTITLED, An Act to remove the limitation on the number of retail  
27 gaming licenses in Deadwood in which a person may have a financial interest.

28 Was read the first time and referred to the Committee on Commerce and Energy.

1 SB 113 Introduced by: Senators Nelson (Tom), Lederman, Peters, Putnam, and Tieszen and  
2 Representatives Cronin, Abdallah, Kirkeby, Rozum, Solum, Turbiville, and Verchio

3 FOR AN ACT ENTITLED, An Act to provide for special motor vehicle license plates for  
4 recipients of the silver star medal and recipients of the bronze star medal.

5 Was read the first time and referred to the Committee on Transportation.

6 SB 114 Introduced by: Senators Nelson (Tom), Krebs, Lederman, Maher, Rampelberg, and  
7 Tieszen and Representatives Verchio, Gibson, and Rozum

8 FOR AN ACT ENTITLED, An Act to designate the American bison as the state animal.

9 Was read the first time and referred to the Committee on State Affairs.

10 SB 115 Introduced by: Senators Nelson (Tom), Lederman, Nygaard, and Rave and  
11 Representatives Solum, Conzet, Fargen, Greenfield, Hawley, Kirschman, Novstrup (David), and  
12 Willadsen

13 FOR AN ACT ENTITLED, An Act to implement the regulation of insurance coverage for  
14 portable electronic devices.

15 Was read the first time and referred to the Committee on Commerce and Energy.

16 SB 116 Introduced by: Senators Fryslie, Begalka, Frerichs, Hansen (Tom), Hundstad, and  
17 Vehle and Representatives Rozum, Hickey, Kirkeby, Rausch, Scott, Sigdestad, and Street

18 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the township  
19 road system.

20 Was read the first time and referred to the Committee on Transportation.

21 SB 117 Introduced by: Senators Adelstein, Begalka, Bradford, Brown, Hundstad,  
22 Lederman, Nygaard, Peters, and Rampelberg and Representatives Verchio, Bolin, Gosch,  
23 Hoffman, Jensen, Kirkeby, Kopp, Lucas, and Sly

24 FOR AN ACT ENTITLED, An Act to require that certain heliports be approved by the  
25 South Dakota Aeronautics Commission.

26 Was read the first time and referred to the Committee on Transportation.

1 SB 118 Introduced by: Senators Adelstein, Begalka, Bradford, Hundstad, Lederman,  
2 Maher, Nelson (Tom), Nygaard, Peters, Rempelberg, and Rhoden and Representatives Verchio,  
3 Bolin, Gosch, Hoffman, Jensen, Kirkeby, Lucas, Munsterman, and Sly

4 FOR AN ACT ENTITLED, An Act to revise certain documentation requirements for  
5 obtaining an operator's license.

6 Was read the first time and referred to the Committee on Transportation.

7 SB 119 Introduced by: Senators Adelstein, Bradford, Buhl, Cutler, Frerichs, Nelson (Tom),  
8 Peters, Sutton, and Tieszen and Representatives Turbiville, Abdallah, Blake, Fargen, Feinstein,  
9 Gibson, Hawley, Hunhoff (Bernie), Lucas, Sigdestad, Street, and Wismer

10 FOR AN ACT ENTITLED, An Act to revise the Human Relations Act to allow certain  
11 discriminatory practices to be investigated by municipalities and counties.

12 Was read the first time and referred to the Committee on Health and Human Services.

13 SB 120 Introduced by: Senators Adelstein, Begalka, and Bradford and Representatives  
14 Perry and Magstadt

15 FOR AN ACT ENTITLED, An Act to temporarily increase the state sales and use tax and  
16 to declare an emergency.

17 Was read the first time and referred to the Committee on Taxation.

18 SB 121 Introduced by: Senators Adelstein, Frerichs, and Rave and Representatives Moser,  
19 Fargen, Hansen (Jon), and Magstadt

20 FOR AN ACT ENTITLED, An Act to expand medicaid eligibility for pregnant women and  
21 to make an appropriation therefor.

22 Was read the first time and referred to the Committee on Health and Human Services.

23 SB 122 Introduced by: Senator Gray and Representatives Perry and Rausch

24 FOR AN ACT ENTITLED, An Act to establish a funding formula for institutions under  
25 the control of the Board of Regents.

26 Was read the first time and referred to the Committee on Education.

27 SB 123 Introduced by: Senators Rhoden, Begalka, Frerichs, Fryslie, Hansen (Tom),  
28 Haverly, Juhnke, Maher, Nelson (Tom), Nygaard, Peters, Putnam, Rempelberg, Schlekeway,  
29 Sutton, Tidemann, and Tieszen and Representatives Solum, Bolin, Boomgarden, Brunner,

1 Cronin, Dennert, Gibson, Greenfield, Hawley, Hoffman, Jensen, Kloucek, Kopp, Olson (Betty),  
2 Rausch, Romkema, Russell, Schaefer, Schrempp, Street, Turbiville, Vanneman, Verchio, and  
3 Willadsen

4 FOR AN ACT ENTITLED, An Act to revise how the taxes are applied to rural electric  
5 companies.

6 Was read the first time and referred to the Committee on Taxation.

7 SB 124 Introduced by: Senators Rhoden, Adelstein, Begalka, Buhl, Cutler, Frerichs,  
8 Fryslie, Gray, Hansen (Tom), Holien, Hundstad, Hunhoff (Jean), Johnston, Juhnke, Kraus,  
9 Krebs, Lederman, Maher, Nelson (Tom), Nygaard, Olson (Russell), Peters, Putnam,  
10 Rampelberg, Rave, Schlekeway, Sutton, Tidemann, Tieszen, and Vehle and Representatives  
11 Lust, Bolin, Boomgard, Brunner, Conzet, Dennert, Dryden, Greenfield, Hansen (Jon), Hickey,  
12 Hoffman, Hubbel, Hunhoff (Bernie), Jensen, Kirkeby, Liss, Lucas, Miller, Nelson (Stace),  
13 Olson (Betty), Perry, Romkema, Rozum, Sly, Tornow, Turbiville, Van Gerpen, Vanneman,  
14 Venner, Verchio, White, and Willadsen

15 FOR AN ACT ENTITLED, An Act to revise per student allocation for state aid to  
16 education, to revise the property tax levies for the general fund of school districts, and to revise  
17 certain provisions concerning state aid and local effort.

18 Was read the first time and referred to the Committee on State Affairs.

19 SB 125 Introduced by: Senators Buhl, Bradford, Frerichs, Holien, Nygaard, Schlekeway,  
20 Sutton, Tidemann, and Tieszen and Representatives Blake, Abdallah, Deelstra, Fargen, Gibson,  
21 Hansen (Jon), Hickey, Moser, and Nelson (Stace)

22 FOR AN ACT ENTITLED, An Act to require certain day care providers to mail notices  
23 of noncompliance.

24 Was read the first time and referred to the Committee on Health and Human Services.

25 SB 126 Introduced by: Senators Frerichs, Adelstein, Sutton, and Vehle and Representatives  
26 Lucas, Hunhoff (Bernie), Killer, Schaefer, and Stricherz

27 FOR AN ACT ENTITLED, An Act to create an oil pipeline indemnity bond program.

28 Was read the first time and referred to the Committee on Commerce and Energy.

29 SB 127 Introduced by: Senators Brown, Haverly, Novstrup (Al), Peters, and Tidemann and  
30 Representatives Cronin and Wink

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding educational data  
2 reporting.

3 Was read the first time and referred to the Committee on Education.

4 SB 128 Introduced by: Senators Lederman, Brown, Maher, Rampelberg, and Schlekeway  
5 and Representatives Willadsen, Cronin, Hansen (Jon), Kirkeby, and Moser

6 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning elections.

7 Was read the first time and referred to the Committee on State Affairs.

8 SB 129 Introduced by: Senator Lederman and Representative Miller

9 FOR AN ACT ENTITLED, An Act to provide for the severance of certain water rights.

10 Was read the first time and referred to the Committee on Agriculture and Natural  
11 Resources.

12 SB 130 Introduced by: Senators Lederman, Adelstein, Gray, Schlekeway, and Sutton and  
13 Representative Sly

14 FOR AN ACT ENTITLED, An Act to require the school board of each school district to  
15 adopt a policy prohibiting bullying.

16 Was read the first time and referred to the Committee on Education.

17 SB 131 Introduced by: Senator Lederman and Representative Miller

18 FOR AN ACT ENTITLED, An Act to expand the definition of a developmental disability.

19 Was read the first time and referred to the Committee on Health and Human Services.

20 SB 132 Introduced by: Senators Lederman and Rampelberg and Representatives Bolin and  
21 Miller

22 FOR AN ACT ENTITLED, An Act to define vehicular homicide and vehicular battery as  
23 crimes of violence.

24 Was read the first time and referred to the Committee on Judiciary.

1 SB 133 Introduced by: Senator Lederman and Representatives Bolin, Miller, and Nelson  
2 (Stace)

3 FOR AN ACT ENTITLED, An Act to establish the criminal offense of aggravated  
4 disorderly conduct and to provide a penalty therefor.

5 Was read the first time and referred to the Committee on Judiciary.

6 SB 134 Introduced by: Senators Lederman, Frerichs, and Rampelberg and Representatives  
7 Miller and Bolin

8 FOR AN ACT ENTITLED, An Act to establish or revise the elements of the criminal  
9 offenses of obstructing an officer, refusing the lawful order of a law enforcement officer, and  
10 fleeing the scene of a potential investigation, and to provide penalties therefor.

11 Was read the first time and referred to the Committee on Judiciary.

12 SB 135 Introduced by: Senator Lederman and Representatives Miller and Bolin

13 FOR AN ACT ENTITLED, An Act to revise the elements of the crimes of vehicular  
14 homicide and vehicular battery.

15 Was read the first time and referred to the Committee on Judiciary.

16 SB 136 Introduced by: Senator Lederman and Representatives Miller and Russell

17 FOR AN ACT ENTITLED, An Act to regulate the application of foreign laws, legal codes,  
18 and systems within the jurisdiction of the State of South Dakota.

19 Was read the first time and referred to the Committee on Judiciary.

20 SB 137 Introduced by: Senators Lederman, Brown, Cutler, and Maher and Representatives  
21 Munsterman, Gosch, Kirkeby, and Rausch

22 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the application  
23 for absentee voting.

24 Was read the first time and referred to the Committee on Local Government.

25 SB 138 Introduced by: Senator Olson (Russell) and Representative Lust

26 FOR AN ACT ENTITLED, An Act to revise the state aid to education formula and to  
27 make an appropriation.

1 Was read the first time and referred to the Committee on Education.

2 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

3 HB 1001: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
4 sales and use tax.

5 Was read the first time and referred to the Committee on Taxation.

6 HB 1003: FOR AN ACT ENTITLED, An Act to revise the limitation on the increases and  
7 decreases that may be made to the total taxable value of cropland and noncropland.

8 Was read the first time and referred to the Committee on Agriculture and Natural  
9 Resources.

10 HB 1011: FOR AN ACT ENTITLED, An Act to revise the definition of domestic use of  
11 water.

12 Was read the first time and referred to the Committee on Agriculture and Natural  
13 Resources.

14 HB 1013: FOR AN ACT ENTITLED, An Act to repeal certain obsolete statutes regarding  
15 the Department of Environment and Natural Resources.

16 Was read the first time and referred to the Committee on Agriculture and Natural  
17 Resources.

18 HB 1014: FOR AN ACT ENTITLED, An Act to prohibit false statements on applications  
19 for certain loans, grants, or other financial assistance and to provide a penalty therefor.

20 Was read the first time and referred to the Committee on State Affairs.

21 HB 1019: FOR AN ACT ENTITLED, An Act to revise the license fee for snowmobiles  
22 and to revise the period of such license.

23 Was read the first time and referred to the Committee on Transportation.

24 HB 1022: FOR AN ACT ENTITLED, An Act to revise certain parole hearing provisions  
25 regarding inmate compliance, waivers, and teleconferencing.

26 Was read the first time and referred to the Committee on Judiciary.

1 HB 1023: FOR AN ACT ENTITLED, An Act to repeal and revise certain provisions  
2 relating to the Department of Corrections.

3 Was read the first time and referred to the Committee on Judiciary.

4 HB 1025: FOR AN ACT ENTITLED, An Act to make aggravated incest a violent crime  
5 for purposes of setting an initial parole date.

6 Was read the first time and referred to the Committee on Judiciary.

7 HB 1032: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the  
8 temporary permit for a specialty license plate with an organization or first responder decal.

9 Was read the first time and referred to the Committee on Transportation.

#### 10 **CONSIDERATION OF CONSENT CALENDAR EXECUTIVE APPOINTMENTS**

11 Sen. Adelstein requested that the appointment of Patrick J. Burchill of Pennington County,  
12 Rapid City, South Dakota, to the South Dakota Ellsworth Development Authority, be removed  
13 from the Consent Calendar.

14 The Senate proceeded to the consideration of the executive appointment of Bob L. Sutton  
15 of Hughes County, South Dakota, to the South Dakota Ellsworth Development Authority.

16 The question being "Does the Senate advise and consent to the executive appointment of  
17 Bob L. Sutton pursuant to the executive message as found on page 25 of the Senate Journal?"

18 And the roll being called:

19 Yeas 35, Nays 0, Excused 0, Absent 0

20 Yeas:

21 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
22 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;  
23 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;  
24 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

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

1 The Senate proceeded to the consideration of the executive appointment of Michael S.  
2 Bender of Minnehaha County, Sioux Falls, South Dakota, to the South Dakota Ellsworth  
3 Development Authority.

4 The question being "Does the Senate advise and consent to the executive appointment of  
5 Michael S. Bender pursuant to the executive message as found on page 25 of the Senate  
6 Journal?"

7 And the roll being called:

8 Yeas 35, Nays 0, Excused 0, Absent 0

9 Yeas:

10 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
11 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;  
12 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;  
13 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

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

16 The Senate proceeded to the consideration of the executive appointment of Kenneth G.  
17 McNenny of Meade County, Sturgis, South Dakota, to the South Dakota Ellsworth  
18 Development Authority.

19 The question being "Does the Senate advise and consent to the executive appointment of  
20 Kenneth G. McNenny pursuant to the executive message as found on page 25 of the Senate  
21 Journal?"

22 And the roll being called:

23 Yeas 35, Nays 0, Excused 0, Absent 0

24 Yeas:

25 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
26 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;  
27 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;  
28 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

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

31 The Senate proceeded to the consideration of the executive appointment of Kent E.  
32 Mundon of Pennington County, Rapid City, South Dakota, to the South Dakota Ellsworth  
33 Development Authority.

1 The question being "Does the Senate advise and consent to the executive appointment of  
2 Kent E. Mundon pursuant to the executive message as found on page 26 of the Senate Journal?"

3 And the roll being called:

4 Yeas 35, Nays 0, Excused 0, Absent 0

5 Yeas:

6 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
7 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;  
8 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;  
9 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

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

## 12 **SECOND READING OF CONSENT CALENDAR ITEMS**

13 SB 3: FOR AN ACT ENTITLED, An Act to revise the composition of the state trunk  
14 highway system.

15 Was read the second time.

16 The question being "Shall SB 3 pass?"

17 And the roll being called:

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

19 Yeas:

20 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
21 Haverly; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Maher;  
22 Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg; Rave;  
23 Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

24 Excused:

25 Heineman

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

28 SB 5: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
29 distribution of state publications.

30 Was read the second time.

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

2 And the roll being called:

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

4 Yeas:

5 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
6 Haverly; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Maher;  
7 Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rempelberg; Rave;  
8 Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

9 Excused:

10 Heineman

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

13 SB 29: FOR AN ACT ENTITLED, An Act to authorize the establishment of a designated  
14 Roth contribution program within the state deferred compensation plan.

15 Was read the second time.

16 The question being "Shall SB 29 pass?"

17 And the roll being called:

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

19 Yeas:

20 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
21 Haverly; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Maher;  
22 Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rempelberg; Rave;  
23 Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

24 Excused:

25 Heineman

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

28 SB 33: FOR AN ACT ENTITLED, An Act to revise the exemptions for insurance agent  
29 examinations.

30 Was read the second time.

1 The question being "Shall SB 33 pass as amended?"

2 And the roll being called:

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

4 Yeas:

5 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
6 Haverly; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Maher;  
7 Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg; Rave;  
8 Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

9 Excused:

10 Heineman

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

13 SB 55: FOR AN ACT ENTITLED, An Act to update certain provisions pertaining to motor  
14 carrier safety and transportation of hazardous materials.

15 Was read the second time.

16 The question being "Shall SB 55 pass?"

17 And the roll being called:

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

19 Yeas:

20 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
21 Haverly; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Maher;  
22 Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg; Rave;  
23 Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

24 Excused:

25 Heineman

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

28 SB 56: FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions relating  
29 to the South Dakota Housing Development Authority.

30 Was read the second time.

1 The question being "Shall SB 56 pass?"

2 And the roll being called:

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

4 Yeas:

5 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
6 Haverly; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Maher;  
7 Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg; Rave;  
8 Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

9 Excused:

10 Heineman

11 So the bill having received an affirmative vote of a majority of the members present, the  
12 President declared the bill passed and the title was agreed to.

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

14 SB 13: FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to  
15 reunification and termination of parental rights.

16 Was read the second time.

17 The question being "Shall SB 13 pass?"

18 And the roll being called:

19 Yeas 35, Nays 0, Excused 0, Absent 0

20 Yeas:

21 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
22 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;  
23 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;  
24 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

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

27 SB 32: FOR AN ACT ENTITLED, An Act to revise the suitability requirements for  
28 annuities.

29 Was read the second time.

1 The question being "Shall SB 32 pass as amended?"

2 And the roll being called:

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

4 Yeas:

5 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
6 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;  
7 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;  
8 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

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

11 SB 58: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning  
12 elections conducted at voting centers and to declare an emergency.

13 Was read the second time.

14 58ta

15 Sen. Hunhoff moved that SB 58 be amended as follows:

16 On page 2, line 5, of the printed bill, delete "19(2)" and insert "9(2)".

17 On page 2, line 7, after "state." Insert "The Board of Elections shall promulgate rules  
18 pursuant to chapter 1-26 concerning the plan by July 1, 2013."

19 Which motion prevailed.

20 58fa

21 Sen. Adelstein moved that SB 58 be amended as follows:

22 On page 2, line 7, of the printed bill, delete "for approval".

23 Sen. Adelstein requested a roll call vote.

24 Which request was supported.

25 The question being on Sen. Adelstein's motion that SB 58 be amended.

26 And the roll being called:

27 Yeas 13, Nays 22, Excused 0, Absent 0

1 Yeas:

2 Adelstein; Begalka; Bradford; Buhl; Cutler; Frerichs; Hundstad; Lederman; Nygaard;  
3 Rampelberg; Rhoden; Sutton; Vehle

4 Nays:

5 Brown; Fryslie; Gray; Hansen (Tom); Haverly; Heineman; Holien; Hunhoff (Jean); Johnston;  
6 Juhnke; Kraus; Krebs; Maher; Nelson (Tom); Novstrup (Al); Olson (Russell); Peters; Putnam;  
7 Rave; Schlekeway; Tidemann; Tieszen

8 So the motion not having received an affirmative vote of a majority of the members  
9 present, the President declared the motion lost.

10 The question being "Shall SB 58 pass as amended?"

11 And the roll being called:

12 Yeas 35, Nays 0, Excused 0, Absent 0

13 Yeas:

14 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
15 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;  
16 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;  
17 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

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

20 SB 24: FOR AN ACT ENTITLED, An Act to require certain applicants for licensure as  
21 a health professional or a licensee who is the subject of a disciplinary investigation to submit  
22 to a state and federal criminal background check.

23 Was read the second time.

24 The question being "Shall SB 24 pass?"

25 And the roll being called:

26 Yeas 35, Nays 0, Excused 0, Absent 0

27 Yeas:

28 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);  
29 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;  
30 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;  
31 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

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

3 SB 31: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the  
4 South Dakota Retirement System, the South Dakota deferred compensation plan, and the South  
5 Dakota special pay retirement program.

6 Was read the second time.

7 The question being "Shall SB 31 pass?"

8 And the roll being called:

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

10 Yeas:

11 Adelstein; Begalka; Bradford; Brown; Buhl; Frerichs; Fryslie; Gray; Hansen (Tom); Haverly;  
12 Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman;  
13 Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg;  
14 Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

15 Excused:

16 Cutler

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

19 SB 19: FOR AN ACT ENTITLED, An Act to revise the rule-making authority of the  
20 Commission on Gaming to allow the commission to authorize the executive secretary of the  
21 Commission on Gaming to take certain actions on gaming licensees.

22 Was read the second time.

23 The question being "Shall SB 19 pass?"

24 And the roll being called:

25 Yeas 32, Nays 2, Excused 1, Absent 0

26 Yeas:

27 Adelstein; Begalka; Bradford; Brown; Buhl; Frerichs; Fryslie; Gray; Hansen (Tom); Haverly;  
28 Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Krebs; Lederman; Maher;  
29 Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg; Rave;  
30 Rhoden; Schlekeway; Sutton; Tidemann; Vehle

1 Nays:  
2 Kraus; Tieszen

3 Excused:  
4 Cutler

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

7 SB 57: FOR AN ACT ENTITLED, An Act to revise and repeal certain administrative rules  
8 relating to the South Dakota Housing Development Authority.

9 Was read the second time.

10 The question being "Shall SB 57 pass?"

11 And the roll being called:

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

13 Yeas:  
14 Adelstein; Begalka; Bradford; Brown; Buhl; Frerichs; Fryslie; Gray; Hansen (Tom); Haverly;  
15 Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman;  
16 Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg;  
17 Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

18 Excused:  
19 Cutler

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

22 **COMMEMORATIONS**

23 SC 1 Introduced by: Senators Olson (Russell), Adelstein, Begalka, Bradford, Brown, Buhl,  
24 Frerichs, Fryslie, Gray, Hansen (Tom), Haverly, Heineman, Holien, Hundstad, Hunhoff (Jean),  
25 Johnston, Juhnke, Kraus, Krebs, Lederman, Maher, Nelson (Tom), Novstrup (Al), Peters,  
26 Putnam, Rampelberg, Rave, Rhoden, Schlekeway, Sutton, Tidemann, Tieszen, and Vehle and  
27 Representatives Cronin, Abdallah, Blake, Bolin, Boomgarden, Brunner, Carson, Conzet,  
28 Deelstra, Dennert, Dryden, Elliott, Fargen, Gibson, Gosch, Greenfield, Haggar, Hansen (Jon),  
29 Hawley, Hickey, Hubbel, Hunhoff (Bernie), Hunt, Jensen, Jones, Killer, Kirkeby, Kirschman,  
30 Kloucek, Kopp, Liss, Lucas, Lust, Magstadt, Miller, Munsterman, Nelson (Stace), Novstrup  
31 (David), Olson (Betty), Perry, Rausch, Romkema, Rozum, Russell, Schaefer, Scott, Sigdestad,  
32 Sly, Solum, Street, Stricherz, Tornow, Tulson, Turbiville, Vanneman, Venner, Verchio, White,  
33 Wick, Willadsen, Wink, and Wismer

1 A LEGISLATIVE COMMEMORATION, Commending and honoring the 2010-2011  
2 Outstanding School Administrators of South Dakota.

3 WHEREAS, Mark Greguson, Chester, School Superintendent; Nick Gottlob, Lead-  
4 Deadwood, Middle School Principal; Terry Brooks, Chamberlain, School Business Official;  
5 Faith Stratton, Chester, Elementary School Principal; Steve Morford, Spearfish, Secondary  
6 School Principal; Demetria Moon, Huron, Assistant Secondary School Principal; Janna  
7 Ellingson, Flandreau, Curriculum Director; and Sarah Richarz, Canton, Director of Special  
8 Education have been named outstanding administrators by their respective administrator parent  
9 groups; and

10 WHEREAS, these administrators have been elected by their peers for outstanding service  
11 and dedication to education; and

12 WHEREAS, the combined years of service to the people of South Dakota and to the children  
13 and youth of South Dakota of these eight educational administrators is two hundred eleven  
14 years; and

15 WHEREAS, each of these educators has demonstrated a sincere interest in our children and  
16 superior skills in the educator's chosen field of educational administration:

17 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of  
18 the State of South Dakota, that Steve Morford, Nick Gottlob, Sarah Richarz, Janna Ellingson,  
19 Terry Brooks, Faith Stratton, Mark Greguson, and Demetria Moon are named as official  
20 representatives of the School Administrators of South Dakota and shall continue their efforts  
21 to improve the educational opportunities for the children of the state.

22 SC 2 Introduced by: Senators Johnston, Buhl, Cutler, Heineman, Peters, and Schlekeway  
23 and Representatives Wick, Abdallah, Blake, Deelstra, Hagggar, Hansen (Jon), Hickey, Hubbel,  
24 Kirschman, Liss, Tornow, and Willadsen

25 A LEGISLATIVE COMMEMORATION, Commending and honoring the Sioux Falls Christian  
26 Chargers Boys Soccer Team for its 2011 State A Soccer Championship.

27 WHEREAS, the Sioux Falls Christian Chargers Boys Soccer Team, coached by Ryan Chase,  
28 Kendall Velgersdyk, and Mark Chase finished its season record with fifteen wins and no losses  
29 in 2011; and

30 WHEREAS, the Sioux Falls Christian Chargers Boys Soccer Team formed a cohesive group  
31 with contributions from all of its players in 2011, including Collin Fligge, Lane Buwalda,  
32 Brandon Eide, Joseph Pietz, Carter Vliem, Matthew Scott, Mitchell McElroy, Carson Long, Lee  
33 Wynja, Elliot Blankespoor, Nate Scovell, Nathan VanPeurseem, Spencer Coulter, Shane  
34 Schaap, Cody VanHolland, Collin DeWitt, Alec Potts, Troy Davelaar, Jess Dirksen, and Hoon  
35 Ki Kim; and

1 WHEREAS, six players from the Sioux Falls Christian Chargers Boys Soccer Team, Elliot  
2 Blankespoor, Collin DeWitt, Shane Schaap, Carson Long, Cody VanHolland, and Brandon Eide  
3 were selected to the 2011 First Team All-State Team:

4 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of  
5 the State of South Dakota, that the Sioux Falls Christian Chargers Boys Soccer Team be  
6 commended and honored for winning the 2011 State A Boys Soccer Championship.

7 SC 3 Introduced by: Senators Johnston, Buhl, Cutler, Heineman, Peters, and Schlekeway  
8 and Representatives Wick, Abdallah, Blake, Deelstra, Haggar, Hansen (Jon), Hickey, Hubbel,  
9 Kirschman, Liss, Tornow, and Willadsen

10 A LEGISLATIVE COMMEMORATION, Commending and honoring the Sioux Falls Christian  
11 Chargers Girls Volleyball Team for its 2011 State A Volleyball Championship.

12 WHEREAS, the Sioux Falls Christian Chargers Girls Volleyball Team, coached by Darci  
13 Wassenaar, Jena Dorhout and Sheila Mulder, finished its season with thirty wins and four  
14 losses; and

15 WHEREAS, the Sioux Falls Christian Chargers Girls Volleyball Team formed a cohesive  
16 group with contributions from all of its players, including Claire Assam, Laura Hurley,  
17 Elizabeth Odens, Mikkel Ten Napel, Kim Brands, Hayley McCarron, Kiara Vander Pol, Brooke  
18 Van Gorp, Kara Koth, Kiley Olson, Stacy Smidt, Laura Soundy, Kristin Stern, Miranda  
19 Velgersdyk, Echo Arends and Yeonhee Jeong; and

20 WHEREAS, three players from the Sioux Falls Christian Chargers Team, Claire Assam,  
21 Hayley McCarron and Kiara Vander Pol, were selected for the All-Tournament Team; and

22 WHEREAS, Claire Assam and Hayley McCarron were selected to the first team All-State  
23 Team and Kiara Vander Pol was selected to the second team All-State Team:

24 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of  
25 the State of South Dakota, that the Sioux Falls Christian Chargers Girls Volleyball Team be  
26 commended and honored for winning the 2011 State A Volleyball Championship.

27 Sen. Gray moved that the Senate do now adjourn, which motion prevailed and at 3:15 p.m.  
28 the Senate adjourned.

29 Fee Jacobsen, Secretary