

JOURNAL OF THE SENATE

EIGHTY-SEVENTH SESSION

THIRTIETH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Wednesday, February 29, 2012

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

The prayer was offered by the Chaplain, Rev. Howard Grinager, followed by the Pledge of Allegiance led by Senate page Rachel Day.

Roll Call: All members present except Sens. Hundstad and Nygaard who were excused.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the twenty-ninth 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 Sen. Olson moved that the Senate do now recess until 10:30 a.m., which motion prevailed
2 and at 10:15 a.m., the Senate recessed.

3 **RECESS**

4 The Senate reconvened at 10:30 a.m., the President presiding.

5 **REPORTS OF STANDING COMMITTEES**

6 MR. PRESIDENT:

7 The Committee on Legislative Procedure respectfully reports that SB 112, 186, and 192
8 were delivered to his Excellency, the Governor, for his approval at 9:20 a.m., February 29, 2012.

9 Also MR. PRESIDENT:

10 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
11 and Enrolling has carefully compared SB 49, 80, 99, 146, 148, and 149 and finds the same
12 correctly enrolled.

13 Respectfully submitted,
14 Bob Gray, Chair

15 **MESSAGES FROM THE HOUSE**

16 MR. PRESIDENT:

17 I have the honor to return herewith SB 49, 80, 146, 148, and 149 which have passed the
18 House without change.

19 Also MR. PRESIDENT:

20 I have the honor to return herewith SB 25, 43, 77, 91, 130, 139, 141, 161, 162, 183, 187,
21 and 193 which have been amended by the House and your concurrence in the amendments is
22 respectfully requested.

23 Respectfully,
24 Karen Gerdes, Chief Clerk

1

MOTIONS AND RESOLUTIONS

2

Sen. Kraus moved that the Senate do concur in House amendments to SB 75.

3

4

The question being on Sen. Kraus' motion that the Senate do concur in House amendments to SB 75.

5

And the roll being called:

6

Yeas 30, Nays 0, Excused 5, Absent 0

7

Yeas:

8

9

10

11

Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom); Haverly; Heineman; Holien; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Nelson (Tom); Novstrup (Al); Peters; Putnam; Rempelberg; Rave; Rhoden; Sutton; Tidemann; Tieszen; Vehle

12

Excused:

13

Hundstad; Maher; Nygaard; Olson (Russell); Schlekeway

14

15

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

16

Sen. Brown moved that the Senate do concur in House amendments to SB 174.

17

18

The question being on Sen. Brown's motion that the Senate do concur in House amendments to SB 174.

19

And the roll being called:

20

Yeas 33, Nays 0, Excused 2, Absent 0

21

Yeas:

22

23

24

25

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

26

Excused:

27

Hundstad; Nygaard

28

29

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

1 **CONSIDERATION OF CONSENT CALENDAR EXECUTIVE APPOINTMENTS**

2 The Senate proceeded to the consideration of the executive appointment of William F.
3 Cerney of Gregory County, Burke, South Dakota, to the Game, Fish and Parks Commission.

4 The question being "Does the Senate advise and consent to the executive appointment of
5 William F. Cerney pursuant to the executive message as found on page 478 of the Senate
6 Journal?"

7 And the roll being called:

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

9 Yeas:

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

14 Excused:

15 Hundstad; Nygaard

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

18 The Senate proceeded to the consideration of the executive appointment of Duane K.
19 Sather of Minnehaha County, Sioux Falls, South Dakota, to the Game, Fish and Parks
20 Commission.

21 The question being "Does the Senate advise and consent to the executive appointment of
22 Duane K. Sather pursuant to the executive message as found on page 479 of the Senate
23 Journal?"

24 And the roll being called:

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

26 Yeas:

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

1 Sen. Olson moved that the Senate do now recess until 1:00 p.m., which motion prevailed
2 and at 10:50 a.m., the Senate recessed.

3 **RECESS**

4 The Senate reconvened at 1:00 p.m., the President Pro tempore presiding.

5 **REPORTS OF STANDING COMMITTEES**

6 MR. PRESIDENT:

7 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
8 and Enrolling has carefully compared SB 75 and 174 and finds the same correctly enrolled.

9 Also MR. PRESIDENT:

10 The Committee on Legislative Procedure respectfully reports that SB 10, 49, 80, 99, 101,
11 106, 123, 145, 146, 148, 149, 158, 169, and 188 were delivered to his Excellency, the Governor,
12 for his approval at 12:45 p.m., February 29, 2012 .

13 Respectfully submitted,
14 Bob Gray, Chair

15 **REPORT OF CONFERENCE COMMITTEE**

16 cc157A

17 MR. PRESIDENT:

18 The Conference Committee respectfully reports that it has considered SB 157 and the
19 amendments thereto made by the House, and the disagreement of the two houses thereon, and
20 recommends that SB 157 be amended as follows:

1 157ta

2 On page 2 of the House engrossed bill, delete lines 19 to 25, inclusive, and insert:

3 "31-29-69.Nothing in §§ 31-29-61 to 31-29-83, inclusive, authorizes any local authority
4 to prohibit outdoor advertising or outdoor advertising technology permitted therein throughout
5 its jurisdiction. However, any such regulation and control shall be reasonable and reasonably
6 related to the needs of the business community to adequately and properly advertise its goods
7 and services of benefit to the traveling public."

8 Respectfully submitted,
9 Val Rausch
10 House Committee Chair

Respectfully submitted,
Russell Olson
Senate Committee Chair

11 **MESSAGES FROM THE HOUSE**

12 MR. PRESIDENT:

13 I have the honor to transmit herewith HCR 1016 which has been adopted by the House and
14 your concurrence is respectfully requested.

15 Also MR. PRESIDENT:

16 I have the honor to inform your honorable body that the House has concurred in Senate
17 amendments to HB 1046 and 1206.

18 Respectfully,
19 Karen Gerdes, Chief Clerk

20 **MOTIONS AND RESOLUTIONS**

21 HCR 1016: A CONCURRENT RESOLUTION, Concerning endorsement of Taiwan's
22 participation as observer in the International Civil Aviation Organization (ICAO), and the 28th
23 anniversary of sister state relations with the Province of Taiwan in the Republic of China
24 (Taiwan).

25 Was read the first time, the President waived the referral to committee, and placed
26 HCR 1016 on the calendar of Thursday, March 1, the 31st legislative day.

27 Sen. Brown moved that SB 25 be placed to follow SB 193 on today's calendar.

28 Which motion prevailed.

1 Sen. Tieszen moved that the Senate do concur in House amendments to SB 43.

2 The question being on Sen. Tieszen's motion that the Senate do concur in House
3 amendments to SB 43.

4 And the roll being called:

5 Yeas 28, Nays 1, Excused 6, Absent 0

6 Yeas:

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

10 Nays:

11 Rhoden

12 Excused:

13 Brown; Hundstad; Nygaard; Olson (Russell); Rave; Tidemann

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

16 Sen. Frerichs moved that the Senate do not concur in House amendments to SB 77 and that
17 a committee of three on the part of the Senate be appointed to meet with a like committee on
18 the part of the House to adjust the differences between the two houses.

19 Which motion prevailed and the President announced as such committee Sens. Olson
20 (Russell), Vehle, and Frerichs.

21 Sen. Novstrup moved that the Senate do not concur in House amendments to SB 91 and
22 that a committee of three on the part of the Senate be appointed to meet with a like committee
23 on the part of the House to adjust the differences between the two houses.

24 Sen. Rhoden moved as a substitute motion that SB 91 be placed to follow SB 25 on today's
25 calendar.

26 Which motion prevailed.

27 Sen. Lederman moved that the Senate do not concur in House amendments to SB 130 and
28 that a committee of three on the part of the Senate be appointed to meet with a like committee
29 on the part of the House to adjust the differences between the two houses.

1 Which motion prevailed and the President announced as such committee Sens. Lederman,
2 Schlekeway, and Bradford.

3 Sen. Heineman moved that the Senate do not concur in House amendments to SB 139 and
4 that a committee of three on the part of the Senate be appointed to meet with a like committee
5 on the part of the House to adjust the differences between the two houses.

6 Which motion prevailed and the President announced as such committee Sens. Heineman,
7 Kraus, and Bradford.

8 Sen. Peters moved that the Senate do not concur in House amendments to SB 141 and that
9 a committee of three on the part of the Senate be appointed to meet with a like committee on
10 the part of the House to adjust the differences between the two houses.

11 Which motion prevailed and the President announced as such committee Sens. Peters,
12 Cutler, and Buhl.

13 Sen. Vehle moved that the Senate do not concur in House amendments to SB 183 and that
14 a committee of three on the part of the Senate be appointed to meet with a like committee on
15 the part of the House to adjust the differences between the two houses.

16 Which motion prevailed and the President announced as such committee Sens. Vehle,
17 Cutler, and Buhl.

18 Sen. Juhnke moved that the Senate do not concur in House amendments to SB 193 and that
19 a committee of three on the part of the Senate be appointed to meet with a like committee on
20 the part of the House to adjust the differences between the two houses.

21 Which motion prevailed and the President announced as such committee Sens. Tidemann,
22 Hunhoff , and Sutton.

23 Sen. Novstrup moved that the Senate do concur in House amendments to SB 161.

24 The question being on Sen. Novstrup's motion that the Senate do concur in House
25 amendments to SB 161.

26 And the roll being called:

27 Yeas 30, Nays 0, Excused 5, Absent 0

1 Yeas:

2 Adelstein; Begalka; Bradford; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom); Haverly;
3 Heineman; Holien; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Maher; Nelson
4 (Tom); Novstrup (Al); Peters; Putnam; Rampelberg; Rave; Rhoden; Schlekeway; Sutton;
5 Tieszen; Vehle

6 Excused:

7 Brown; Hundstad; Nygaard; Olson (Russell); Tidemann

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

10 Sen. Rhoden moved that the Senate do concur in House amendments to SB 162.

11 The question being on Sen. Rhoden's motion that the Senate do concur in House
12 amendments to SB 162.

13 And the roll being called:

14 Yeas 31, Nays 0, Excused 4, Absent 0

15 Yeas:

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

20 Excused:

21 Brown; Hundstad; Nygaard; Rave

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

24 Sen. Rhoden moved that the Senate do concur in House amendments to SB 187.

25 The question being on Sen. Rhoden's motion that the Senate do concur in House
26 amendments to SB 187.

27 And the roll being called:

28 Yeas 27, Nays 5, Excused 3, Absent 0

29 Yeas:

30 Adelstein; Begalka; Brown; Cutler; Fryslie; Gray; Hansen (Tom); Haverly; Heineman; Holien;
31 Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Maher; Nelson (Tom); Novstrup
32 (Al); Peters; Putnam; Rampelberg; Rave; Rhoden; Schlekeway; Tidemann; Tieszen

1 Nays:
2 Bradford; Buhl; Frerichs; Sutton; Vehle

3 Excused:
4 Hundstad; Nygaard; Olson (Russell)

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

7 **SIGNING OF BILLS**

8 The President publicly read the title to

9 SB 75: FOR AN ACT ENTITLED, An Act to revise the determination of fees that may be
10 charged for certain public records.

11 SB 174: FOR AN ACT ENTITLED, An Act to increase the 911 emergency surcharge, to
12 revise the collection and distribution of the surcharge revenue, to provide for point of sale
13 collection of the prepaid wireless 911 emergency surcharge, and to provide funding for the
14 upgrade of 911 emergency services.

15 HB 1126: FOR AN ACT ENTITLED, An Act to establish provisions that certain bonds
16 paid by, or on behalf of, certain persons with child support arrearages shall be paid to the
17 Department of Social Services to pay any child support the defendant owes.

18 HB 1133: FOR AN ACT ENTITLED, An Act to establish the Legislature's Planning
19 Committee.

20 HB 1185: FOR AN ACT ENTITLED, An Act to prohibit all qualified health plans offered
21 through a health care exchange from including abortion coverage.

22 HB 1196: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
23 lobbyists.

24 HB 1198: FOR AN ACT ENTITLED, An Act to revise the definition of firearm to include
25 certain antique, muzzle-loading, and black powder weapons in certain circumstances.

26 HB 1220: FOR AN ACT ENTITLED, An Act to conditionally repeal certain provisions
27 establishing network adequacy standards, quality assessment and improvement requirements,
28 utilization review and benefit determination requirements, and grievance procedures for
29 managed health care plans, and certain standards for managed health care plans if the Patient
30 Protection and Affordable Care Act is found to be unconstitutional.

1 HB 1247: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
2 voting rights of persons convicted of a felony or serving time in the state penitentiary.

3 HB 1248: FOR AN ACT ENTITLED, An Act to provide for exceptions from certain
4 misdemeanor offenses relating to possession of handguns.

5 HB 1253: FOR AN ACT ENTITLED, An Act to prohibit the judicial enforcement of any
6 religious codes.

7 HB 1266: FOR AN ACT ENTITLED, An Act to reduce the period of time necessary to
8 cure and validate certain adoption proceedings.

9 HB 1273: FOR AN ACT ENTITLED, An Act to prohibit the sale of loose leaf incense to
10 minors, to prohibit certain marketing techniques, to regulate the sale of certain types of incense,
11 to provide penalties therefor, and to declare an emergency.

12 HJR 1007: A JOINT RESOLUTION, Proposing and submitting to the electors at the next
13 general election an amendment to Article XII of the Constitution of the State of South Dakota,
14 relating to a balanced budget.

15 And signed the same in the presence of the Senate.

16 Sen. Brown moved that the Senate do now recess until 3:30 p.m., which motion prevailed
17 and at 2:00 p.m., the Senate recessed.

18 **RECESS**

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

20 **REPORTS OF STANDING COMMITTEES**

21 MR. PRESIDENT:

22 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
23 and Enrolling has carefully compared SB 43, 161, 162, and 187 and finds the same correctly
24 enrolled.

25 Respectfully submitted,
26 Bob Gray, Chair

1

MESSAGES FROM THE HOUSE

2 MR. PRESIDENT:

3 I have the honor to inform your honorable body that the House has appointed Reps. Sly,
4 Haggar, and Killer as a committee of three on the part of the House to meet with a like
5 committee on the part of the Senate to adjust the differences between the two houses on SB 139.

6 Also MR. PRESIDENT:

7 I have the honor to inform your honorable body that the House has appointed Reps. Sly,
8 Feickert, and Hansen as a committee of three on the part of the House to meet with a like
9 committee on the part of the Senate to adjust the differences between the two houses on SB 130.

10 Also MR. PRESIDENT:

11 I have the honor to inform your honorable body that the House has appointed Reps. Solum,
12 Fargen, and Cronin as a committee of three on the part of the House to meet with a like
13 committee on the part of the Senate to adjust the differences between the two houses on SB 77.

14 Also MR. PRESIDENT:

15 I have the honor to inform your honorable body that the House has appointed Reps.
16 Boomgarden, Tornow, and Feinstein as a committee of three on the part of the House to meet
17 with a like committee on the part of the Senate to adjust the differences between the two houses
18 on SB 183.

19 Also MR. PRESIDENT:

20 I have the honor to inform your honorable body that the House has appointed Reps. Lust,
21 Hunhoff, and Cronin as a committee of three on the part of the House to meet with a like
22 committee on the part of the Senate to adjust the differences between the two houses on SB 193.

23 Also MR. PRESIDENT:

24 I have the honor to inform your honorable body that the House has appointed Reps.
25 Rozum, Gibson, and Cronin as a committee of three on the part of the House to meet with a like
26 committee on the part of the Senate to adjust the differences between the two houses on SB 141.

1 Also MR. PRESIDENT:

2 I have the honor to inform your honorable body that the House has concurred in Senate
3 amendments to HB 1058, 1096, 1186, and 1189.

4 Respectfully,
5 Karen Gerdes, Chief Clerk

6 **MOTIONS AND RESOLUTIONS**

7 Sen. Olson moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on
8 Thursday, March 1, the 31st legislative day.

9 Which motion prevailed.

10 Sen. Olson moved that SB 25 be deferred to Thursday, March 1, the 31st legislative day.

11 Which motion prevailed.

12 Sen. Novstrup moved that the Senate do not concur in House amendments to SB 91 and
13 that a committee of three on the part of the Senate be appointed to meet with a like committee
14 on the part of the House to adjust the differences between the two houses.

15 Which motion prevailed and the President announced as such committee Sens. Novstrup,
16 Rampelberg, and Nelson.

17 **CONSIDERATION OF REPORT OF CONFERENCE COMMITTEE**

18 Sen. Olson moved that the report of the Conference Committee on SB 157 as found on
19 page 624 of the Senate Journal be adopted.

20 The question being on Sen. Olson's motion that the report of the Conference Committee
21 on SB 157 be adopted.

22 And the roll being called:

23 Yeas 24, Nays 9, Excused 2, Absent 0

1 Yeas:

2 Begalka; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom); Heineman; Holien;
3 Hunhoff (Jean); Johnston; Juhnke; Krebs; Lederman; Maher; Novstrup (Al); Olson (Russell);
4 Peters; Putnam; Rave; Schlekeway; Sutton; Tidemann

5 Nays:

6 Adelstein; Bradford; Haverly; Kraus; Nelson (Tom); Rampelberg; Rhoden; Tieszen; Vehle

7 Excused:

8 Hundstad; Nygaard

9 So the motion having received an affirmative vote of a majority of the members-elect, the
10 President declared the motion carried and the report was adopted.

11 **SIGNING OF BILLS**

12 The President publicly read the title to

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

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

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

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

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

23 **COMMEMORATIONS**

24 SC 22 Introduced by: Senators Schlekeway and Brown and Representatives Cronin and
25 Hoffman

26 A LEGISLATIVE COMMEMORATION, Honoring and recognizing Collin Jensen on winning
27 an individual state wrestling championship for Mobridge-Pollock High School.

28 WHEREAS, Collin Jensen finished his senior season with a perfect 45-0 record and earned
29 the title of 2012 Class B Champion in the 220-pound weight class; and

1 WHEREAS, Jensen's historic wrestling career at Mobridge-Pollock High School includes
2 records in two-point falls in both season and career categories and most pins in a season; and

3 WHEREAS, Jensen demonstrated high standards of achievement and leadership and proved
4 himself to be a role model for his peers and all of the wrestlers around him:

5 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
6 the State of South Dakota, that Collin Jensen be honored and recognized for his outstanding
7 performance in wrestling for Mobridge-Pollock High School.

8 SC 23 Introduced by: Senators Lederman, Adelstein, Begalka, Bradford, Brown, Buhl,
9 Cutler, Frerichs, Fryslie, Gray, Hansen (Tom), Haverly, Heineman, Holien, Hunhoff (Jean),
10 Johnston, Juhnke, Kraus, Krebs, Maher, Nelson (Tom), Novstrup (Al), Nygaard, Olson
11 (Russell), Peters, Putnam, Rampelberg, Rave, Rhoden, Schlekeway, Sutton, Tidemann, Tieszen,
12 and Vehle and Representatives Miller, Abdallah, Blake, Bolin, Boomgarden, Carson, Conzet,
13 Deelstra, Dennert, Dryden, Elliott, Fargen, Feickert, Feinstein, Gibson, Gosch, Greenfield,
14 Hagggar, Hansen (Jon), Hawley, Hickey, Hoffman, Hubbel, Hunhoff (Bernie), Hunt, Iron Cloud
15 III, Jensen, Jones, Killer, Kirkeby, Kirschman, Kloucek, Kopp, Liss, Lucas, Lust, Magstadt,
16 Moser, Munsterman, Nelson (Stace), Novstrup (David), Olson (Betty), Rausch, Romkema,
17 Rozum, Schaefer, Schrempp, Scott, Sigdestad, Sly, Steele, Street, Tornow, Tulson, Turbiville,
18 Van Gerpen, Vanneman, Venner, Verchio, White, Wick, Willadsen, Wink, and Wismer

19 A LEGISLATIVE COMMEMORATION, Honoring and commending the citizens of South
20 Dakota for their exemplary response to the Missouri River Flood of 2011.

21 WHEREAS, the Missouri River flooding was triggered by record snowfall and spring
22 rainfall, causing all six major dams along the Missouri River basin to release unprecedented
23 amounts of water; and

24 WHEREAS, thousands of homes and businesses in communities along the Missouri River
25 were evacuated for a prolonged period of time due to the disaster; and

26 WHEREAS, countless volunteers from every corner of the state poured into the affected
27 communities to aid victims of the flooding; and

28 WHEREAS, South Dakotans sprang into action and worked relentlessly to fill sandbags,
29 build emergency levees, patrol the affected areas, man emergency operations centers, and aid
30 homeowners during the tumultuous relocation process:

31 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
32 the State of South Dakota, that the Legislature honors the citizens of South Dakota for their
33 persistence, hard work, and fellowship in addressing the Missouri River Flood of 2011.

1 SC 24 Introduced by: Senator Hunhoff (Jean) and Representatives Hunhoff (Bernie) and
2 Moser

3 A LEGISLATIVE COMMEMORATION, Honoring the Yankton High School Girls' and Boys'
4 Cross Country Teams for their outstanding performances at the 2011 State Class AA Cross
5 Country Meet.

6 WHEREAS, the Yankton High School Cross Country Teams won the 2011 Combined State
7 Class AA Cross Country Meet Championship under the direction of coaches Dave Dannenbring,
8 Luke Youmans, and Doug Harr: and

9 WHEREAS, the members of the Yankton High School Girls' Cross Country Team include
10 Alicia Aune, Jenna Grossenburg, Ashtyn Haak, Annie Kruse, Whitlee Larson, Tristan Olson,
11 and Savannah Woods; and

12 WHEREAS, the members of the Yankton High School Boys' Cross Country Team include
13 Evan Bergeson, Jacob Bies, Brice Cowman, Justin Grode, Kipp Kinsley, Ryan Olson, and
14 Logan Smith; and

15 WHEREAS, the Yankton High School Cross Country Teams have displayed exemplary
16 dedication to the sport with the girls' team claiming seven of the last nine state titles and the
17 boys' team winning five of the last seven titles:

18 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
19 the State of South Dakota, that the Yankton High School Girls' and Boys' Cross Country Teams
20 be congratulated on winning the 2011 Combined State Class AA Cross Country Meet
21 Championship.

22 SC 25 Introduced by: Senator Hunhoff (Jean) and Representatives Moser and Hunhoff
23 (Bernie)

24 A LEGISLATIVE COMMEMORATION, Honoring the Yankton High School Girls' Cross
25 Country Team for their outstanding performance at the 2011 State Class AA Girls' Cross
26 Country Meet.

27 WHEREAS, the Yankton High School Girls' Cross Country Team became the 2011 State
28 Class AA Girls' Cross Country Meet Champions under the direction of coaches Dave
29 Dannenbring, Luke Youmans, and Doug Haar; and

30 WHEREAS, the members of Yankton High School Girls' Cross Country Team include
31 Alicia Aune, Jenna Grossenburg, Ashtyn Haak, Annie Kruse, Whitlee Larson, Tristan Roy, and
32 Savannah Woods; and

33 WHEREAS, the Yankton High School Girls' Cross Country Team showed character and
34 dedication in achieving its goals on the road to a State Class AA Cross Country Meet
35 Championship:

1 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
2 the State of South Dakota, that the Yankton High School Girls' Cross Country Team be
3 congratulated on winning the 2011 State Class AA Girls' Cross Country Meet.

4 SC 26 Introduced by: Senators Vehle, Gray, Hansen (Tom), Holien, Hunhoff (Jean), Krebs,
5 Novstrup (Al), and Tidemann and Representatives Carson, Abdallah, Dennert, Elliott, Feickert,
6 Gibson, Hawley, Hunhoff (Bernie), Hunt, Magstadt, Moser, Munsterman, Novstrup (David),
7 Perry, Rozum, Solum, Venner, and White

8 A LEGISLATIVE COMMEMORATION, Honoring Coach Gary Munsen for his many
9 successes as the Mitchell Kernels High School basketball coach.

10 WHEREAS, Coach Gary Munsen has been the head coach of the Mitchell Kernels Boys'
11 Basketball Team for thirty-nine years with an overall coaching record of 648 wins and 251
12 losses before district playoffs in the 2011-2012 season. Coach Munsen has been head coach of
13 the Mitchell Kernels Girls' Basketball Team for thirteen years with a record of 229 wins and 71
14 losses; and

15 WHEREAS, Coach Munsen's commitment to coaching is illustrated best in the impressive
16 achievements realized by his teams. Munsen coached nine boys' state championship titles out
17 of thirty-three state tournament appearances while coaching at Mitchell. His teams hold the
18 record for five consecutive ESD Titles, an all-time state record for forty straight wins for state
19 classes "A" and "AA," and the state record for consecutive state tournament appearances with
20 twenty (1983-2002). During Munsen's time as coach, he has coached seventy-eight all-
21 tournament players and seventy-three all-state players; and

22 WHEREAS, Coach Munsen's example of an extraordinary coach and person will be present
23 long after his retirement this year, and the lessons he has taught through the game of basketball
24 will live on forever:

25 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
26 the State of South Dakota, that the Legislature commends and honors Coach Gary Munsen for
27 his contributions to his community and state and the commitment and inspiration he has given
28 to the students, athletes, staff, and people around him.

29 SC 27 Introduced by: Senators Frerichs, Bradford, Krebs, and Tieszen and Representatives
30 Kloucek, Hunhoff (Bernie), Perry, and Venner

31 A LEGISLATIVE COMMEMORATION, Recognizing the commemoration of the 200th
32 anniversary of the reported death of Sacagawea in present day South Dakota.

33 WHEREAS, in his journal of Fort Manuel Lisa, which overlooked the Missouri River near
34 the present day city of Kenel, Corson County, South Dakota, the trading post clerk John Luttig
35 reported on December 20, 1812, "This evening the wife of Charbonneau, a Snake woman, died
36 of a putrid fever. Aged about 25 years. She left an infant girl."; and

1 WHEREAS, Sacagawea is most historically famous for being the only American woman,
2 who with her husband and infant son, accompanied Captains Meriwether Lewis and William
3 Clark on U.S. President Thomas Jefferson's Corps of Northwestern Discovery Expedition to
4 the Pacific Coast and on the return trip during the years 1804 to 1806; and

5 WHEREAS, The Encounters On The Prairie - Central South Dakota Chapter of the Lewis
6 and Clark Trail Heritage Foundation known as Keepers of the Story, Stewards of the Trail will
7 be hosting a Regional LCTHF Meeting which will be open to the public in the South Dakota
8 cities of Fort Pierre, Pierre, Mobridge, and Kenel on September 28, 29, and 30, 2012, to
9 commemorate the bicentennial of the reported death of Sacagawea with presentations by
10 scholarly Sacagawea, Lewis, and Clark speakers; and

11 WHEREAS, the South Dakota public, joined by historians and citizens from across the
12 United States, are invited to join in the bicentennial commemoration honoring the life, death,
13 and burial of Sacagawea outside the stockade walls of Fort Manuel Lisa in Corson County near
14 Kenel, South Dakota:

15 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Seventh Legislature of
16 the State of South Dakota, that the South Dakota Legislature recognizes the efforts to honor and
17 to show respect for the memory of Sacagawea, commemorates the 200th anniversary of the
18 reported death of Sacagawea, and commends those who are organizing and those who will be
19 participating in this historic bicentennial commemoration.

20 SC 28 Introduced by: Senator Holien and Representatives Magstadt and Solum

21 A LEGISLATIVE COMMEMORATION, Congratulating and honoring Maren Johnson of
22 Watertown as South Dakota's 2012 winner of the Prudential Spirit of Community Award.

23 WHEREAS, Maren Johnson, a student at Watertown High School, was named one of the
24 top two youth volunteers in South Dakota in the 17th annual Prudential Spirit of Community
25 Awards, presented by Prudential Financial in partnership with the National Association of
26 Secondary School Principals, a program with participation of more than twenty-six thousand
27 students across the nation; and

28 WHEREAS, Maren Johnson worked with the Global Soap Project to recruit more than one
29 hundred sixty hotels in four states and Canada to collect over six thousand pounds of soap to
30 be reprocessed and sent to communities in Africa and Haiti; and

31 WHEREAS, Maren Johnson set the highest standards in student achievement through her
32 work as a volunteer and is certainly a role model for her peers and other students at Watertown
33 High School; and

34 WHEREAS, Maren Johnson represents the best of South Dakota's youth and is an example
35 of why the future of our state and nation is in good hands:

1 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of
2 the State of South Dakota, that Maren Johnson of Watertown, South Dakota, be congratulated
3 and honored for her selection as South Dakota's 2012 Prudential Spirit of Community Award
4 winner.

5 Sen. Schlekeway moved that the Senate do now adjourn, which motion prevailed and at
6 3:45 p.m. the Senate adjourned.

7

Fee Jacobsen, Secretary