

JOURNAL OF THE SENATE

NINETY-SIXTH SESSION

TWENTY-EIGHTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Thursday, February 25, 2021

The Senate convened at 1:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Pastor Sam Handschke, followed by the Pledge of Allegiance led by Senate page Paige Hoffman.

Roll Call: All members present except Sens. Johns and Klumb 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 27th day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Which motion prevailed.

Respectfully submitted,
Lee A. Schoenbeck, Chair

1

COMMUNICATIONS AND PETITIONS

2

February 25, 2021

3

Mr. President and Members of the Senate:

4

I have the honor to inform you that on February 25, 2021, I approved Senate Bills 81, 82, 92, 94, 101, 102, and 136, and the same have been deposited in the office of the Secretary of State.

5

6

Respectfully submitted,

7

Kristi Noem

8

Governor

9

REPORTS OF STANDING COMMITTEES

10

MR. PRESIDENT:

11

The Committee on Senate Judiciary respectfully reports that it has had under consideration **HB 1026** and returns the same with the recommendation that said bill be referred to the Senate Committee on Appropriations with a Do Pass recommendation.

12

13

14

Also MR. PRESIDENT:

15

The Committee on Senate Judiciary respectfully reports that it has had under consideration **HB 1102** and returns the same with the recommendation that said bill do pass.

16

17

Also MR. PRESIDENT:

18

The Committee on Senate Judiciary respectfully reports that it has had under consideration **HB 1084 and 1179** and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

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21

Respectfully submitted,

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Arthur Rusch, Chair

23

MR. PRESIDENT:

24

The Committee on Senate Commerce and Energy respectfully reports that it has had under consideration the nomination of Julie Bartling of Gregory County, Gregory, South Dakota, to the South Dakota Building Authority and returns the same with the recommendation that the Senate advise and consent to the confirmation of said appointment.

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27

28

Also MR. PRESIDENT:

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The Committee on Senate Commerce and Energy respectfully reports that it has had under consideration **HB 1203** and returns the same with the recommendation that said bill do pass.

30

31

Also MR. PRESIDENT:

32

The Committee on Senate Commerce and Energy respectfully reports that it has had under consideration **HB 1258** and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

33

34

35

Respectfully submitted,

36

Casey Crabtree, Chair

1 MR. PRESIDENT:

2 The Joint Committee on Appropriations respectfully reports that it has had under consideration
3 **SB 99** and returns the same with the recommendation that said bill be amended as follows:

4 99A

5 On page 1, line 10, of the Introduced bill, delete "\$19,000,000" and insert "\$20,000,000"

6 On page 1, line 12, of the Introduced bill, delete "\$7,000,000" and insert "\$8,000,000"

7 And that as so amended, said bill do pass.

8 Also MR. PRESIDENT:

9 The Joint Committee on Appropriations respectfully reports that it has had under consideration
10 **SB 191** and returns the same with the recommendation that said bill be amended as follows:

11 191A

12 On page 1, line 1, of the Introduced bill, after "to " delete "authorize the Board of Regents to
13 contract for the redesign and renovation of an addition to the South Dakota State University Meat
14 Lab"

15 On page 1, line 2, of the Introduced bill, after "Lab " insert "provide an appropriation for a
16 study regarding the future renovation and expansion of the Meat Laboratory "

17 On page 1, line 3, of the Introduced bill, after "University" delete ", to make"

18 On page 1, line 3, of the Introduced bill, after "make " delete "an appropriation therefor,"

19 On page 1, line 6, of the Introduced bill, after "Dakota:" delete "Section 1. The Board of
20 Regents may contract for the redesign and renovation of, and the design and construction of, a
21 twenty-two-thousand-square-foot addition to the South Dakota State University Meat Lab within the
22 Animal Science Complex on the campus of South Dakota State University in Brookings, together
23 with furnishings and equipment, including heating, air conditioning, plumbing, water, sewer, electric
24 facilities, sidewalks, parking, landscaping, architectural and engineering services, and other services
25 or actions as may be required to accomplish the project, for an estimated cost not to exceed
26 \$25,000,000, subject to permitted adjustments pursuant to section 3 of this Act."

27 On page 1, line 14, of the Introduced bill, delete "2" and insert 1

28 On page 1, line 14, of the Introduced bill, delete " \$25,000,000" and insert " \$600,000"

29 On page 1, line 15, of the Introduced bill, delete " purposes authorized in section 1 of this Act"
30 and insert " purpose of conducting a comprehensive planning study regarding the future renovation
31 and expansion of the meat laboratory, within the Animal Science Complex, on the campus of South
32 Dakota State University. The study must include project details, space confirmation, equipment
33 needs, options for construction of new space, and options for repurposing the existing space"

34 On page 1, line 16, of the Introduced bill, after "Act." delete "Section 3. The cost estimates
35 contained in this Act have been stated in terms of 2020 values. The Board of Regents may adjust
36 such cost estimates to reflect inflation as measured by the Building Cost Index, reported by the
37 Engineering News Record, and additional expenditures required to comply with regulations adopted
38 after the effective date of this Act. However, any adjustments to construction cost estimates for the
39 project may not exceed one hundred twenty-five percent of the estimated project construction cost
40 stated in section 1 of this Act."

41 On page 1, line 22, of the Introduced bill, after "Act." delete "Section 4. The Board of Regents
42 may accept, transfer, and expend any funds obtained for the project authorized in this Act from

1 federal sources, donations, or any other external sources, all of which comprise a special fund for
2 the benefitted project."

3 On page 2, line 1, of the Introduced bill, after "project." delete "Section 5. The administration
4 of the design and construction of the project authorized in this Act shall be under the general charge
5 and supervision of the Bureau of Administration as provided in chapter 5-14."

6 On page 2, line 4, of the Introduced bill, delete "6" and insert 2

7 On page 2, line 6, of the Introduced bill, delete "7" and insert 3

8 On page 2, line 8, of the Introduced bill, delete "8" and insert 4

9 And that as so amended, said bill do pass.

10 Also MR. PRESIDENT:

11 The Joint Committee on Appropriations respectfully reports that it has had under consideration
12 **SB 192** and returns the same with the recommendation that said bill be amended as follows:

13 192A

14 On page 1, line 5, of the Introduced bill, delete "\$6,000,000" and insert " \$3,500,000"

15 On page 1, line 11, of the Introduced bill, after "actions" insert the comma

16 On page 1, line 12, of the Introduced bill, delete " \$6,000,000" and insert " \$3,500,000"

17 On page 1, line 13, of the Introduced bill, after "Act." delete "The project is intended to create
18 a modern beef cattle and range station, with world-class research capabilities and includes:

19 (1) The acquisition and installation of precision technology to enhance the station's research
20 capabilities and outreach capacities; and

21 (2) The construction of a modern indoor facility with adjustable holding pens, an adjacent
22 classroom and viewing area, new handling equipment, and a monoslope cattle feeding facility"

23 And that as so amended, said bill do pass.

24 Also MR. PRESIDENT:

25 The Joint Committee on Appropriations respectfully reports that it has had under consideration
26 **SB 156 and 186** and returns the same with the recommendation that said bills do pass.

27 Also MR. PRESIDENT:

28 The Joint Committee on Appropriations respectfully reports that it has had under consideration
29 **SB 158 and 188** which were tabled.

30 Respectfully submitted,
31 Jean Hunhoff, Co-Chair

Respectfully submitted,
Chris Karr, Co-Chair

1

MESSAGES FROM THE HOUSE

2

Mr. PRESIDENT:

3

4

5

I have the honor to transmit herewith **HB 1020, 1061, 1131, 1155, 1217, 1232, 1267, 1268, 1274, and 1281** which have passed the House and your favorable consideration is respectfully requested.

6

Also Mr. PRESIDENT:

7

8

I have the honor to transmit herewith **HCR 6009 and 6010** which have been adopted by the House and your concurrence is respectfully requested.

9

10

Respectfully,
Patricia Miller, Chief Clerk

11

MOTIONS AND RESOLUTIONS

12

13

SRD 901: A RESOLUTION OF DISAPPROVAL, Proposing to disapprove Executive Order 2021-03 as set forth on pages 52 to 64, inclusive, of the Senate Journal.

14

Introduced by: **Senator** Heinert

15

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

16

17

SCR 608: A CONCURRENT RESOLUTION, To raise public awareness and support the National Association for Public Health Statistics and Information Systems.

18

Introduced by: **Senator** Frye-Mueller

19

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

20

21

22

HCR 6010: A CONCURRENT RESOLUTION, Calling on President Joe Biden and the United States Congress to prevent the enactment of energy policies that negatively impact the State of South Dakota.

23

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

24

25

HCR 6009: A CONCURRENT RESOLUTION, Urging priority to be given to in-state advertising agencies over out-of-state agencies for state issued requests for proposals.

26

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

27

28

Sen. Schoenbeck moved that **HB 1013** be referred from the Joint Committee on Appropriations to the Senate Committee on Appropriations.

29

Which motion prevailed.

1

CONSIDERATION OF REPORTS OF COMMITTEES

2

Sen. Cammack moved that the reports of the Standing Committees on

3

State Affairs on **SB 155** as found on page 338 of the Senate Journal; also

4

Local Government on **HB 1235** as found on page 336 of the Senate Journal; also

5

Taxation on **HB 1085** as found on page 337 of the Senate Journal be adopted.

6

Which motion prevailed and the reports were adopted.

7

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

8

HB 1155: FOR AN ACT ENTITLED, An Act to remove certain restrictions on gifts of agricultural land.

9

10

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

11

HB 1020: FOR AN ACT ENTITLED, An Act to make an appropriation to continue the veteran's bonus program and to declare an emergency.

12

13

HB 1267: FOR AN ACT ENTITLED, An Act to make an appropriation to the Board of Technical Education for the purchasing of equipment and to declare an emergency.

14

15

HB 1268: FOR AN ACT ENTITLED, An Act to make an appropriation for the reconstruction of the emergency vehicle operations course and to declare an emergency.

16

17

HB 1274: FOR AN ACT ENTITLED, An Act to transfer funds to the state fair fund and to declare an emergency.

18

19

HB 1281: FOR AN ACT ENTITLED, An Act to create the state IT modernization fund, to make an appropriation therefor, and to declare an emergency.

20

21

Were read the first time and referred to the Senate Committee on Appropriations.

22

HB 1131: FOR AN ACT ENTITLED, An Act to authorize primary care agreements.

23

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

24

HB 1217: FOR AN ACT ENTITLED, An Act to promote continued fairness in women's sports.

25

HB 1232: FOR AN ACT ENTITLED, An Act to increase the pay of certain constitutional officers.

26

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

27

HB 1061: FOR AN ACT ENTITLED, An Act to prohibit smoking and consuming marijuana and its derivatives in a motor vehicle and create a penalty therefor.

28

29

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

1

CONSIDERATION OF CONSENT EXECUTIVE APPOINTMENTS

2

The Senate proceeded to the consideration of the executive reappointment of Gene P. Kean of Minnehaha County, Sioux Falls, South Dakota, to the Government Accountability Board (SJ 76).

3

4

And the roll being called:

5

Yeas 33, Nays 0, Excused 2, Absent 0

6

Yeas:

7

Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

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9

10

11

Excused:

12

Johns and Klumb

13

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

14

15

SECOND READING OF CONSENT CALENDAR ITEMS

16

SB 27: FOR AN ACT ENTITLED, An Act to revise off-campus tuition rates at institutions governed by the Board of Regents.

17

18

HB 1007: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding checks or bid bonds for public improvements.

19

20

HB 1008: FOR AN ACT ENTITLED, An Act to revise technical errors in statutory cross references relating to the Department of Executive Management.

21

22

HB 1119: FOR AN ACT ENTITLED, An Act to revise certain references to secondary elections.

23

Were read the second time.

24

The question being "Shall **SB 27** pass as amended, and **HB 1007, 1008, and 1119** pass?"

25

And the roll being called:

26

Yeas 33, Nays 0, Excused 2, Absent 0

27

Yeas:

28

Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

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31

32

Excused:

33

Johns and Klumb

34

So the bills having received an affirmative vote of a majority of the members-elect, the President declared the bills passed and the titles were agreed to.

35

1

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

2

SB 126: FOR AN ACT ENTITLED, An Act to establish the crime of possession, manufacturing, or distribution of obscene dolls.

3

4

Was read the second time.

5

The question being "Shall **SB 126** pass as amended?"

6

And the roll being called:

7

Yeas 33, Nays 0, Excused 2, Absent 0

8

Yeas:

9

Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster, Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

10

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12

13

Excused:

14

Johns and Klumb

15

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

16

17

SB 173: FOR AN ACT ENTITLED, An Act to revise certain provisions related to competency hearings.

18

19

Was read the second time.

20

The question being "Shall **SB 173** pass as amended?"

21

And the roll being called:

22

Yeas 32, Nays 1, Excused 2, Absent 0

23

Yeas:

24

Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster, Frye-Mueller, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

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28

Nays:

29

Brock Greenfield

30

Excused:

31

Johns and Klumb

32

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

33

34

SB 189: FOR AN ACT ENTITLED, An Act to revise and establish certain provisions related to drug crimes and enforcement and create a penalty therefor.

35

36

Was read the second time.

1 Sen. Brock Greenfield moved that **SB 189** be amended as follows:

2 189D

3 On page 6, line 28, of the Senate Judiciary bill, after "34-20G" insert " or any person
4 distributing, or possessing with the intent to distribute, marijuana as otherwise permitted by state
5 law"

6 On page 8, line 26, of the Senate Judiciary bill, after "34-20G" insert " or any person
7 manufacturing, distributing, or possessing with the intent to distribute, marijuana concentrate as
8 otherwise permitted by state law"

9 Which motion prevailed.

10 The question being "Shall **SB 189** pass as amended?"

11 And the roll being called:

12 Yeas 15, Nays 18, Excused 2, Absent 0

13 Yeas:

14 Crabtree, Curd, Diedrich, Foster, Heinert, Hunhoff, David Johnson, Nesiba, Herman Otten,
15 Rohl, Rusch, Schoenfish, V. J. Smith, Tobin, and Wheeler

16 Nays:

17 Bolin, Breitling, Cammack, Castleberry, Duhamel, Duvall, Frye-Mueller, Brock Greenfield,
18 Kolbeck, Maher, Novstrup, Schoenbeck, Stalzer, Steinhauer, Sutton, Symens, Wiik, and Zikmund

19 Excused:

20 Johns and Klumb

21 So the bill not having received an affirmative vote of a majority of the members-elect, the
22 President declared the bill lost.

23 **SB 171:** FOR AN ACT ENTITLED, An Act to provide for the South Dakota Freedom Scholarship,
24 make an appropriation therefor, and declare an emergency.

25 Was read the second time.

26 Sen. Schoenbeck moved that **SB 171** be amended as follows:

27 171G

28 On page 1, line 7, of the Joint Appropriations bill, after "endowment, " delete "held in trust and
29 vested with the South Dakota Community Foundation "

30 On page 1, line 8, of the Joint Appropriations bill, after "administered " delete " by the South
31 Dakota Freedom Scholarship Board established "

32 On page 1, line 14, of the Joint Appropriations bill, after "be " insert "irrevocably "

33 On page 1, line 16, of the Joint Appropriations bill, after "be " insert "vested and "

34 On page 2, line 23, of the Joint Appropriations bill, delete "The South Dakota Freedom
35 Scholarship Board is hereby established" and insert "The agreement required in Section 9 of this Act
36 shall provide for a governing board"

37 On page 2, line 31, of the Joint Appropriations bill, delete " earnings on" and insert "
38 distributable income of"

- 1 On page 2, line 34, of the Joint Appropriations bill, after "shall " delete "annually "
- 2 On page 3, line 4, of the Joint Appropriations bill, delete "Eligible s" and insert S
- 3 On page 3, line 4, of the Joint Appropriations bill, after "student" insert "s considered"
- 4 On page 3, line 5, of the Joint Appropriations bill, delete "A student is eligible for a " and insert
5 "The board may consider a student for a "
- 6 On page 3, line 9, of the Joint Appropriations bill, after "institution" insert " and the board
7 described in § 13-55A-15"
- 8 On page 3, line 12, of the Joint Appropriations bill, delete " the" and insert " an"
- 9 On page 3, line 13, of the Joint Appropriations bill, delete " the" and insert " an"
- 10 On page 3, line 14, of the Joint Appropriations bill, after "note" insert " or other agreement"
- 11 On page 3, line 17, of the Joint Appropriations bill, after "the" delete " South Dakota Freedom
12 Scholarship Board"
- 13 On page 3, line 18, of the Joint Appropriations bill, after "Board " insert "board "
- 14 On page 3, line 19, of the Joint Appropriations bill, delete " beyond the student's control" and
15 insert ", as the board may determine,"
- 16 On page 3, line 19, of the Joint Appropriations bill, delete " the" and insert " a"
- 17 On page 3, line 24, of the Joint Appropriations bill, after "public" delete ", tribal,"
- 18 On page 3, line 24, of the Joint Appropriations bill, after "institution," insert " including any
19 tribal college,"
- 20 Which motion prevailed.
- 21 The question being "Shall **SB 171** pass as amended?"
- 22 And the roll being called:
- 23 Yeas 32, Nays 1, Excused 2, Absent 0
- 24 Yeas:
25 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
26 Brock Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman
27 Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens,
28 Tobin, Wheeler, Wiik, and Zikmund
- 29 Nays:
30 Frye-Mueller
- 31 Excused:
32 Johns and Klumb
- 33 So the bill having received an affirmative vote of a two-thirds majority of the members-elect,
34 the President declared the bill passed and the title was agreed to.

1 **SB 139:** FOR AN ACT ENTITLED, An Act to increase the base salary for certain judges.

2 Was read the second time.

3 The question being "Shall **SB 139** pass?"

4 And the roll being called:

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

6 Yeas:

7 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
8 Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup,
9 Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton,
10 Symens, Tobin, Wheeler, Wiik, and Zikmund

11 Excused:

12 Johns and Klumb

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

15 **SB 143:** FOR AN ACT ENTITLED, An Act to revise the penalty for the ingestion of certain
16 controlled substances.

17 Was read the second time.

18 The question being "Shall **SB 143** pass?"

19 And the roll being called:

20 Yeas 8, Nays 25, Excused 2, Absent 0

21 Yeas:

22 Foster, Heinert, Nesiba, Rohl, Rusch, Schoenfish, Symens, and Wheeler

23 Nays:

24 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Frye-
25 Mueller, Brock Greenfield, Hunhoff, David Johnson, Kolbeck, Maher, Novstrup, Herman Otten,
26 Schoenbeck, V. J. Smith, Stalzer, Steinhauer, Sutton, Tobin, Wiik, and Zikmund

27 Excused:

28 Johns and Klumb

29 So the bill not having received an affirmative vote of a majority of the members-elect, the
30 President declared the bill lost.

31 **SB 130:** FOR AN ACT ENTITLED, An Act to make an appropriation for the enhancement of
32 South Dakota and to declare an emergency.

33 Was read the second time.

1 The question being "Shall **SB 130** pass?"

2 And the roll being called:

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

4 Yeas:

5 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
6 Brock Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman
7 Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens,
8 Tobin, Wheeler, Wiik, and Zikmund

9 Nays:

10 Frye-Mueller

11 Excused:

12 Johns and Klumb

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

15 **SB 131:** FOR AN ACT ENTITLED, An Act to make an appropriation for the improvement of
16 South Dakota and to declare an emergency.

17 Was read the second time.

18 The question being "Shall **SB 131** pass?"

19 And the roll being called:

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

21 Yeas:

22 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
23 Brock Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman
24 Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens,
25 Tobin, Wheeler, Wiik, and Zikmund

26 Nays:

27 Frye-Mueller

28 Excused:

29 Johns and Klumb

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

32 **SB 132:** FOR AN ACT ENTITLED, An Act to make an appropriation for the benefit of South
33 Dakota and to declare an emergency.

34 Was read the second time.

1 The question being "Shall **SB 132** pass?"

2 And the roll being called:

3 Yeas 31, Nays 1, Excused 3, Absent 0

4 Yeas:

5 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Brock
6 Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman Otten,
7 Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin,
8 Wheeler, Wiik, and Zikmund

9 Nays:

10 Frye-Mueller

11 Excused:

12 Foster, Johns, and Klumb

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

15 **SB 133**: FOR AN ACT ENTITLED, An Act to appropriate coronavirus funds and to declare an
16 emergency.

17 Was read the second time.

18 The question being "Shall **SB 133** pass?"

19 And the roll being called:

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

21 Yeas:

22 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Brock
23 Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman Otten,
24 Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin,
25 Wheeler, Wiik, and Zikmund

26 Excused:

27 Foster, Frye-Mueller, Johns, and Klumb

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

30 **SB 118**: FOR AN ACT ENTITLED, An Act to enhance South Dakota.

31 Was read the second time.

32 The question being "Shall **SB 118** pass?"

33 And the roll being called:

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

35 Yeas:

36 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Brock
37 Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman Otten,

1 Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin,
2 Wheeler, Wiik, and Zikmund

3 Excused:
4 Foster, Frye-Mueller, Johns, and Klumb

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

7 **SB 119:** FOR AN ACT ENTITLED, An Act to accommodate legislation on medical services.

8 Was read the second time.

9 The question being "Shall **SB 119** pass?"

10 And the roll being called:

11 Yeas 32, Nays 0, Excused 3, Absent 0

12 Yeas:
13 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
14 Brock Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman
15 Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens,
16 Tobin, Wheeler, Wiik, and Zikmund

17 Excused:
18 Frye-Mueller, Johns, and Klumb

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

21 **SB 120:** FOR AN ACT ENTITLED, An Act to accommodate legislation relating to education in
22 South Dakota.

23 Was read the second time.

24 The question being "Shall **SB 120** pass?"

25 And the roll being called:

26 Yeas 32, Nays 0, Excused 3, Absent 0

27 Yeas:
28 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
29 Brock Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman
30 Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens,
31 Tobin, Wheeler, Wiik, and Zikmund

32 Excused:
33 Frye-Mueller, Johns, and Klumb

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

1 **SB 121:** FOR AN ACT ENTITLED, An Act to accommodate legislation relating to the protection
2 of public safety.

3 Was read the second time.

4 The question being "Shall **SB 121** pass?"

5 And the roll being called:

6 Yeas 32, Nays 0, Excused 3, Absent 0

7 Yeas:

8 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
9 Brock Greenfield, Heinert, Hunhoff, David Johnson, Kolbeck, Maher, Nesiba, Novstrup, Herman
10 Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens,
11 Tobin, Wheeler, Wiik, and Zikmund

12 Excused:

13 Frye-Mueller, Johns, and Klumb

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

16 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

17 **HB 1125:** FOR AN ACT ENTITLED, An Act to define adjournment for the counting of ballots.

18 Was read the second time.

19 The question being "Shall **HB 1125** pass?"

20 And the roll being called:

21 Yeas 29, Nays 4, Excused 2, Absent 0

22 Yeas:

23 Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Frye-Mueller,
24 Brock Greenfield, Hunhoff, David Johnson, Kolbeck, Maher, Novstrup, Herman Otten, Rohl, Rusch,
25 Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik,
26 and Zikmund

27 Nays:

28 Bolin, Foster, Heinert, and Nesiba

29 Excused:

30 Johns and Klumb

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

33 **SIGNING OF BILLS**

34 The President publicly read the title to

35 **HB 1132:** FOR AN ACT ENTITLED, An Act to add dental hygienists to the list of mandatory
36 reporters of child abuse or neglect.

1 **HB 1195:** FOR AN ACT ENTITLED, An Act to authorize the participation of certified registered
2 nurse anesthetists in the recruitment assistance program.

3 **HB 1262:** FOR AN ACT ENTITLED, An Act to regulate kratom for those under the age of twenty-
4 one.

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

6 **COMMEMORATIONS**

7 **SC 810:** A LEGISLATIVE COMMEMORATION, Honoring the Deuel County High School
8 Gymnastics Team for winning the 2021 State A Gymnastics Championship.

9 Introduced by: **Senator Wiik and Representative Deutsch.**

10 Sen. Kolbeck moved that the Senate do now adjourn, which motion prevailed and at 3:19 p.m.
11 the Senate adjourned.

12

Kay Johnson, Secretary