

JOURNAL OF THE SENATE

NINETY-SIXTH SESSION

THIRTY-FIRST DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Wednesday, March 03, 2021

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

The prayer was offered by the Chaplain, Pastor John Fette, followed by the Pledge of Allegiance led by Senate page Amanda Schroeder.

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 30th 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

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REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Senate Judiciary respectfully reports that it has had under consideration **HB 1114, 1197, 1204, and 1261** and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

Also MR. PRESIDENT:

The Committee on Senate Judiciary respectfully reports that it has had under consideration **HB 1140 and 1150** which were deferred to the 41st Legislative Day.

Also MR. PRESIDENT:

The Committee on Senate Judiciary respectfully reports that it has had under consideration **HB 1191** and returns the same with the recommendation that said bill be amended as follows:

1191A

On page 1, line 11, of the Introduced bill, after "resolution" insert ", other than binding arbitration,"

On page 1, line 16, of the Introduced bill, after "territory;

(2)" insert "Any school district;

(3) "

On page 1, line 19, of the Introduced bill, delete "(3)" and insert "(4)"

And that as so amended, said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
Arthur Rusch, Chair

MR. PRESIDENT:

The Committee on Senate Transportation respectfully reports that it has had under consideration **SCR 606, and HB 1061** and returns the same with the recommendation that said bill and resolution do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
Mary Duvall, Chair

MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **HB 1095, 1135, 1137, 1182, and 1189** and returns the same with the recommendation that said bills do pass.

1 Also MR. PRESIDENT:

2 The Committee on Senate State Affairs respectfully reports that it has had under consideration
3 **HB 1075 and 1217** which were deferred to the 41st Legislative Day.

4 Respectfully submitted,
5 Gary L. Cammack, Chair

6 Mr. PRESIDENT:

7 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
8 Enrolling has carefully compared **SB 57, 85, 86, 100, 109, 124, 135, 152, 174, 177, and 184**
9 and finds the same correctly enrolled.

10 Respectfully submitted,
11 Lee A. Schoenbeck, Chair

12 Mr. PRESIDENT:

13 The Committee on Legislative Procedure respectfully reports that **SB 4, 10, 31, 59, 72, 83,**
14 **96, and 134** were delivered to her Excellency, the Governor, for her approval at 10:05 a.m.,
15 March 3, 2021.

16 Respectfully submitted,
17 Lee A. Schoenbeck, Chair

18 MESSAGES FROM THE HOUSE

19 Mr. PRESIDENT:

20 I have the honor to inform your honorable body that the House has concurred in Senate
21 amendments to **HB 1085 and 1235**.

22 Also Mr. PRESIDENT:

23 I have the honor to transmit herewith **HCR 6013 and 6014** which have been adopted by the
24 House and your concurrence is respectfully requested.

25 Also Mr. PRESIDENT:

26 I have the honor to return herewith **SB 57, 85, 86, 100, 109, 124, 135, 152, 174, 177,**
27 **and 184** which have passed the House without change.

28 Also Mr. PRESIDENT:

29 I have the honor to return herewith **SB 123** which has been amended by the House and your
30 concurrence in the amendments is respectfully requested.

1 Also Mr. PRESIDENT:

2 I have the honor to inform your honorable body that **SB 71** was lost on second reading and
3 final passage.

4 Respectfully,
5 Patricia Miller, Chief Clerk

6 **MOTIONS AND RESOLUTIONS**

7 **SCR 607:** A CONCURRENT RESOLUTION, Affirming the Legislature's support of the
8 constitutional right to keep and bear arms.

9 Was read the second time.

10 Sen. Duvall moved that **SCR 607** be amended as follows:

11 SCR607A

12 On page 1, line 13, of the Introduced bill, after "any" insert " new"

13 Which motion prevailed.

14 Sen. Castleberry moved that **SCR 607** as found on page 329 of the Senate Journal be adopted
15 as amended on page 390 of the Senate Journal.

16 The question being on Sen. Castleberry's motion that **SCR 607** be adopted as amended.

17 And the roll being called:

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

19 Yeas:

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

24 Nays:

25 Heinert and Nesiba

26 So the motion having received an affirmative vote of a majority of the members-elect, the
27 President declared the motion carried and **SCR 607** was adopted as amended.

28 Sen. Cammack moved that Consideration of House amendments for **SB 77** be deferred to
29 Thursday, March 4, 2021, the 32nd legislative day.

30 Which motion prevailed.

31 Sen. Castleberry moved that the Senate do concur in House amendments to **SB 150**.

32 The question being on Sen. Castleberry's motion that the Senate do concur in House
33 amendments to **SB 150**.

1 And the roll being called:

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

3 Yeas:

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

8 Nays:

9 Frye-Mueller

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

12 Sen. Steinhauer moved that the Senate do concur in House amendments to **SB 178**.

13 The question being on Sen. Steinhauer's motion that the Senate do concur in House
14 amendments to **SB 178**.

15 And the roll being called:

16 Yeas 35, Nays 0, Excused 0, Absent 0

17 Yeas:

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

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 **HCR 6008: A CONCURRENT RESOLUTION, To reauthorize the Mental Health Services Delivery**
25 **Task Force for the limited purposes of monitoring the growth and development of current initiatives**
26 **in the delivery of mental health services, reviewing and proposing adjustments to the levels of**
27 **funding, and ensuring that the statutory and regulatory framework complements intended**
28 **outcomes.**

29 Was read the second time.

30 Sen. Steinhauer moved that **HCR 6008** as found on page 208 of House Journal be concurred
31 in.

32 The question being on Sen. Steinhauer's motion that **HCR 6008** be concurred in.

33 And the roll being called:

34 Yeas 35, Nays 0, Excused 0, Absent 0

35 Yeas:

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

1 So the motion having received an affirmative vote of a majority of the members-elect, the
2 President declared the motion carried and **HCR 6008** was concurred in.

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

6 Was read the second time.

7 Sen. Crabtree moved that **HCR 6010** as found on page 355 of House Journal be concurred in.

8 The question being on Sen. Crabtree's motion that **HCR 6010** be concurred in.

9 And the roll being called:

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

11 Yeas:

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

16 Nays:

17 Foster, Heinert, and Nesiba

18 So the motion having received an affirmative vote of a majority of the members-elect, the
19 President declared the motion carried and **HCR 6010** was concurred in.

20 **HCR 6013:** A CONCURRENT RESOLUTION, To protect our Second Amendment rights from
21 federal overreach using the official purpose provision of the REAL ID Act of 2005.

22 **HCR 6014:** A CONCURRENT RESOLUTION, To acknowledge and honor the Native American
23 children who were survivors of the boarding schools in this state.

24 Were read the first time and the President waived the committee referral pursuant to Joint
25 Rule 6D-1.

26 Sen. Cammack moved that the Committee on Judiciary be instructed to deliver **HB 1140** to
27 the floor of the Senate, pursuant to Joint Rule 7-7.

28 Sen. Schoenbeck requested a roll call vote.

29 Which request was supported.

30 And the roll being called:

31 Yeas 17, Nays 18, Excused 0, Absent 0

32 Yeas:

33 Bolin, Cammack, Castleberry, Curd, Frye-Mueller, Brock Greenfield, David Johnson, Klumb,
34 Kolbeck, Maher, Novstrup, Schoenfish, Sutton, Symens, Tobin, Wiik, and Zikmund

35 Nays:

36 Breitling, Crabtree, Diedrich, Duhamel, Duvall, Foster, Heinert, Hunhoff, Johns, Nesiba,
37 Herman Otten, Rohl, Rusch, Schoenbeck, V. J. Smith, Stalzer, Steinhauer, and Wheeler

1 So the motion having received an affirmative vote of a one-third majority of the members-
 2 elect, the President declared the motion carried.

3 Sen. Cammack moved that **HB 1018, 1038, and 1273** be deferred to Thursday, March 4,
 4 2021, the 32nd legislative day.

5 Which motion prevailed.

6 Sen. Cammack moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
 7 Thursday, March 4, 2021 the 32nd legislative day.

8 Which motion prevailed.

9 There being no objection, the Senate reverted to Order of Business No. 5 - Reports of Standing
 10 Committees.

11 **REPORTS OF STANDING COMMITTEES**

12 MR. PRESIDENT:

13 The Committee on Senate Local Government respectfully reports that it has had under
 14 consideration **HB 1124** and returns the same with the recommendation that said bill do pass, and
 15 having been certified as uncontested, be placed on the consent calendar.

16 Also MR. PRESIDENT:

17 The Committee on Senate Local Government respectfully reports that it has had under
 18 consideration **HB 1094, 1127, 1143, and 1192** and returns the same with the recommendation
 19 that said bills do pass.

20 Respectfully submitted,
 21 Herman Otten, Chair

22 **CONSIDERATION OF REPORTS OF COMMITTEES**

23 Sen. Cammack moved that the reports of the Standing Committees on
 24 Joint Appropriations on **SB 34** as found on page 382 of the Senate Journal; also
 25 Joint Appropriations on **SB 93** as found on page 382 of the Senate Journal; also
 26 Joint Appropriations on **SB 162** as found on page 383 of the Senate Journal; also
 27 Joint Appropriations on **SB 47** as found on page 374 of the Senate Journal; also
 28 Joint Appropriations on **SB 167** as found on page 383 of the Senate Journal; also
 29 Joint Appropriations on **SB 181** as found on page 374 of the Senate Journal; also
 30 Agriculture and Natural Resources on **HB 1228** as found on page 373 of the Senate Journal;
 31 also

1 Senate Appropriations on **HB 1266** as found on page 372 of the Senate Journal be adopted.

2 Which motion prevailed and the reports were adopted.

3 **CONSIDERATION OF EXECUTIVE APPOINTMENTS**

4 The Senate proceeded to the consideration of the executive appointment of David Paul of
5 Meade County, Mud Butte, South Dakota, to the State Brand Board.

6 The question being "Does the Senate advise and consent to the executive appointment of David
7 Paul pursuant to the message as found on 204 of the Senate Journal?"

8 And the roll being called:

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

10 Yeas:

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

15 Nays:

16 Heinert and Nesiba

17 Excused:

18 Foster

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

21 **SECOND READING OF CONSENT CALENDAR ITEMS**

22 **HB 1110:** FOR AN ACT ENTITLED, An Act to prohibit the performance of abortions due to Down
23 syndrome and to provide a penalty therefor.

24 **HB 1254:** FOR AN ACT ENTITLED, An Act to prohibit preferential treatment in higher education
25 employment practices.

26 **HB 1263:** FOR AN ACT ENTITLED, An Act to provide price transparency for health care costs.

27 Were read the second time.

28 The question being "Shall **HB 1110 and 1254** pass as amended, and **HB 1263** pass?"

29 And the roll being called:

30 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

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

9 **SB 35:** FOR AN ACT ENTITLED, An Act to make an appropriation to implement provisions
 10 concerning the legalization, regulation, and taxation of marijuana, and to declare an emergency.

11 Was read the second time.

12 The question being "Shall **SB 35** pass as amended?"

13 And the roll being called:

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

15 Yeas:
 16 Bolin, Breitling, Cammack, Castleberry, Crabtree, Diedrich, Duhamel, Duvall, Foster, Frye-
 17 Mueller, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher, Nesiba, Herman Otten,
 18 Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Tobin, Wheeler,
 19 Wiik, and Zikmund

20 Nays:
 21 Curd, Brock Greenfield, Novstrup, and Symens

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

24 **SB 149:** FOR AN ACT ENTITLED, An Act to revise an appropriation regarding the fire insurance
 25 premium tax.

26 Was read the second time.

27 The question being "Shall **SB 149** pass as amended?"

28 And the roll being called:

29 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

1 **SB 28:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the
2 redesign and renovation of, and the design and construction of an addition to, the Sanford Jackrabbit
3 Athletic Complex on the campus of South Dakota State University, together with equipment and
4 furnishings, to make an appropriation therefor, and to declare an emergency.

5 Was read the second time.

6 The question being "Shall **SB 28** pass as amended?"

7 And the roll being called:

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

9 Yeas:

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

14 Nays:

15 Frye-Mueller, Maher, and Stalzer

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

18 **SB 47:** FOR AN ACT ENTITLED, An Act to make an appropriation for the maintenance and
19 repair of state-owned dams and to declare an emergency.

20 Was read the second time.

21 The question being "Shall **SB 47** pass as amended?"

22 And the roll being called:

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

24 Yeas:

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

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

31 **SB 181:** FOR AN ACT ENTITLED, An Act to make an appropriation for road improvements
32 leading to the State Veterans Cemetery and to declare an emergency.

33 Was read the second time.

34 The question being "Shall **SB 181** pass as amended?"

35 And the roll being called:

36 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

8 **SB 34:** FOR AN ACT ENTITLED, An Act to make an appropriation to expand rural access to
9 broadband services and to declare an emergency.

10 Was read the second time.

11 The question being "Shall **SB 34** pass as amended?"

12 And the roll being called:

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

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

19 Excused:
20 Frye-Mueller

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

23 **SB 93:** FOR AN ACT ENTITLED, An Act to make an appropriation to rehabilitate the rail line
24 from west of the city of Fort Pierre to the city of Rapid City and to declare an emergency.

25 Was read the second time.

26 The question being "Shall **SB 93** pass as amended?"

27 And the roll being called:

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

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

34 Excused:
35 Rohl

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

1 **SB 162:** FOR AN ACT ENTITLED, An Act to appropriate funds for airport route restoration,
2 business development, and air service marketing and to declare an emergency.

3 Was read the second time.

4 The question being "Shall **SB 162** pass as amended?"

5 And the roll being called:

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

7 Yeas:

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

12 Nays:

13 Frye-Mueller

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

16 **SB 167:** FOR AN ACT ENTITLED, An Act to establish criteria for a regional nursing facility
17 designation, to provide an appropriation therefor, and to declare an emergency.

18 Was read the second time.

19 The question being "Shall **SB 167** pass as amended?"

20 And the roll being called:

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

22 Yeas:

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

27 Excused:

28 Rohl

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

31 **SB 17:** FOR AN ACT ENTITLED, An Act to authorize the South Dakota Department of
32 Corrections to purchase certain real property, to make an appropriation, and to declare an
33 emergency.

34 Was read the second time.

35 The question being "Shall **SB 17** pass?"

36 And the roll being called:

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

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

6 Excused:
7 Rohl

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

10 **SB 33:** FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs related to
11 the commissioning of the USS Pierre and to declare an emergency.

12 Was read the second time.

13 The question being "Shall **SB 33** pass?"

14 And the roll being called:

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

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

21 Excused:
22 Rohl

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

25 **SB 48:** FOR AN ACT ENTITLED, An Act to authorize the payment of lease rental obligations to
26 the South Dakota Health and Educational Facilities Authority, to make an appropriation therefor,
27 and to declare an emergency.

28 Was read the second time.

29 The question being "Shall **SB 48** pass?"

30 And the roll being called:

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

32 Yeas:
33 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
34 Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher, Nesiba,
35 Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer,
36 Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

37 Nays:
38 Frye-Mueller

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

1 **SB 54:** FOR AN ACT ENTITLED, An Act to make an appropriation to build a bison visitors center
2 in Custer State Park and to declare an emergency.

3 Was read the second time.

4 The question being "Shall **SB 54** pass?"

5 And the roll being called:

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

7 Yeas:

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

12 Excused:

13 Rusch

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

16 **SB 144:** FOR AN ACT ENTITLED, An Act to make an appropriation to provide for a crisis
17 stabilization unit and to declare an emergency.

18 Was read the second time.

19 The question being "Shall **SB 144** pass?"

20 And the roll being called:

21 Yeas 33, Nays 1, Excused 1, Absent 0

22 Yeas:

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

27 Nays:

28 Frye-Mueller

29 Excused:

30 Sutton

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

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

34 **HB 1130:** FOR AN ACT ENTITLED, An Act to establish requirements for the presentation of a
35 written statement regarding the discontinuance of a drug-induced abortion.

36 Was read the second time.

1 The question being "Shall **HB 1130** pass as amended?"

2 And the roll being called:

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

4 Yeas:

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

9 Nays:

10 Nesiba

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

13 **HB 1017**: FOR AN ACT ENTITLED, An Act to to revise the appropriation for the construction of
14 a cold storage building located in Sioux Falls and to declare an emergency.

15 Was read the second time.

16 The question being "Shall **HB 1017** pass?"

17 And the roll being called:

18 Yeas 35, Nays 0, Excused 0, Absent 0

19 Yeas:

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

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

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

28 Was read the second time.

29 The question being "Shall **HB 1020** pass?"

30 And the roll being called:

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

32 Yeas:

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

37 Excused:

38 Foster

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

3 **HB 1021:** FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse certain health
4 care professionals who have complied with the requirements for certain health care recruitment
5 assistance programs and to declare an emergency.

6 Was read the second time.

7 The question being "Shall **HB 1021** pass as amended?"

8 And the roll being called:

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

10 Yeas:

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

15 Excused:

16 Sutton

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

19 **HB 1026:** FOR AN ACT ENTITLED, An Act to make an appropriation for the payment of
20 extraordinary litigation expenses and to declare an emergency.

21 Was read the second time.

22 The question being "Shall **HB 1026** pass?"

23 And the roll being called:

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

25 Yeas:

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

30 Nays:

31 Foster, Heinert, and Nesiba

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

34 **HB 1039:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to
35 suppression of wildfires in the state and to declare an emergency.

36 Was read the second time.

1 The question being "Shall **HB 1039** pass?"

2 And the roll being called:

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

4 Yeas:

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

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

11 **HB 1111**: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding inspections
12 and seizures by, and forfeitures involving, the Department of Game, Fish and Parks.

13 Was read the second time.

14 The question being "Shall **HB 1111** pass?"

15 And the roll being called:

16 Yeas 35, Nays 0, Excused 0, Absent 0

17 Yeas:

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

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

24 **HB 1013**: FOR AN ACT ENTITLED, An Act to make an appropriation to fund tax refunds for
25 elderly persons and persons with a disability and to declare an emergency.

26 Was read the second time.

27 The question being "Shall **HB 1013** pass as amended?"

28 And the roll being called:

29 Yeas 35, Nays 0, Excused 0, Absent 0

30 Yeas:

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

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

1

COMMEMORATIONS

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4

SC 815: A LEGISLATIVE COMMEMORATION, Honoring and commending Jamie Johnson as the 2020 National Association of Conservation Districts/Natural Resources Conservation Service Olin Sims Conservation Leadership Award recipient.

5

Introduced by: **Senator** Brock Greenfield and **Representative** Lana Greenfield.

6

7

SC 816: A LEGISLATIVE COMMEMORATION, Honoring the 2020-2021 Canton C-Hawk High School wrestling team for its outstanding accomplishments.

8

9

Introduced by: **Senators** Bolin, Schoenbeck, V. J. Smith, Stalzer, Wiik, and Zikmund and **Representative** Perry.

10

11

Sen. Steinhauer moved that the Senate do now adjourn, which motion prevailed and at 4:54 p.m. the Senate adjourned.

12

Kay Johnson, Secretary