

JOURNAL OF THE SENATE

NINETY-SEVENTH SESSION

NINTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, January 24, 2022

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

The prayer was offered by the Chaplain, Fr. Ron Garry, followed by the Pledge of Allegiance led by Senate page Abbey Allen.

Roll Call: All members present except Sens. Rusch, V. J. Smith, Stalzer, and Symens who were present remotely.

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 8th 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,
Lee A. Schoenbeck, Chair

Which motion prevailed.

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

2 Pages – Abbey Allen, Masey Chapin, Benjamin Daggett, Ethan Gladue, Clair Hall, Victoria
3 Larson, Gwyn Nickels, Jack Sandvig, Ellie Simpson, Dillon Unzelman, and Madisen Vetter

4 Assistant Sergeant at Arms – Lou Raisler

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

6 **MESSAGES FROM THE HOUSE**

7 MR. PRESIDENT:

8 I have the honor to transmit herewith **HB 1046** which has passed the House and your favorable
9 consideration is respectfully requested.

10 Respectfully,
11 Patricia Miller, Chief Clerk

12 **MOTIONS AND RESOLUTIONS**

13 Sen. Cammack moved that **SB 24** be deferred to Monday, January 31, 2022, the 13th
14 legislative day.

15 Which motion prevailed.

16 Sen. Cammack moved that **SB 11, 12, and 23** be deferred to Tuesday, January 25, 2022, the
17 10th legislative day.

18 Which motion prevailed.

19 **CONSIDERATION OF REPORTS OF COMMITTEES**

20 Sen. Cammack moved that the report of the Standing Committee on

21 Health and Human Services on **SB 19 and 26** as found on page 88 of the Senate Journal be
22 adopted.

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

24 **SB 97:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to acquire the
25 incubator building located on the campus of South Dakota School of Mines and Technology, to
26 contract for the design and renovation thereof, to make an appropriation thereof, and to declare an
27 emergency.

28 Introduced by: **Senator** V. J. Smith

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

1 **SB 98:** FOR AN ACT ENTITLED, An Act to add an exemption from the calculation of adjusted
2 gross proceeds from gaming.

3 Introduced by: **Senator** Johns

4 **SB 99:** FOR AN ACT ENTITLED, An Act to revise percentages regarding certain municipal
5 proceeds of gaming revenues.

6 Introduced by: **Senator** Johns

7 Were read the first time and referred to the Committee on Taxation.

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

9 **HB 1046:** FOR AN ACT ENTITLED, An Act to revise the disposal fee for large-scale solid waste
10 disposal facilities operated by political subdivisions.

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

12 **SECOND READING OF CONSENT CALENDAR ITEMS**

13 Sen. Maher requested that **SB 4, 14, and 17** be removed from the Consent Calendar.

14 Sen. Wiik requested that **SB 18, 21, and 27** be removed from the Consent Calendar.

15 **SB 80:** FOR AN ACT ENTITLED, An Act to exempt the provision of electricity through electric
16 vehicle charging stations from the definition of electric utility.

17 Was read the second time.

18 The question being "Shall **SB 80** pass as amended?"

19 And the roll being called:

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

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

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

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

28 **SB 13:** FOR AN ACT ENTITLED, An Act to repeal provisions permitting certain documents to
29 serve as temporary registry identification cards for medical cannabis.

30 Was read the second time.

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

2 And the roll being called:

3 Yeas 25, Nays 10, Excused 0, Absent 0

4 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Duhamel, Duvall, Frye-Mueller, Brock
5 Greenfield, Hunhoff, Johns, David Johnson, Klumb, Maher, Novstrup, Rusch, Schoenbeck,
6 Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Wheeler, Wiik, and Zikmund

7 Nays: Curd, Diedrich, Foster, Heinert, Kolbeck, Nesiba, Herman Otten, Rohl, Symens, and
8 Tobin

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

11 **SB 69:** FOR AN ACT ENTITLED, An Act to provide for an electronic system to update voter
12 registration information.

13 Was read the second time.

14 The question being "Shall **SB 69** pass?"

15 And the roll being called:

16 Yeas 20, Nays 15, Excused 0, Absent 0

17 Yeas: Breitling, Cammack, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster, Heinert, Johns,
18 David Johnson, Nesiba, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Steinhauer, Tobin, and
19 Wheeler

20 Nays: Bolin, Castleberry, Frye-Mueller, Brock Greenfield, Hunhoff, Klumb, Kolbeck, Maher,
21 Novstrup, Herman Otten, Stalzer, Sutton, Symens, 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 **SB 76:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the minimum
25 amount of a lottery prize that is subject to setoff.

26 Was read the second time.

27 The question being "Shall **SB 76** pass?"

28 And the roll being called:

29 Yeas 19, Nays 16, Excused 0, Absent 0

30 Yeas: Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Duhamel, Foster, Heinert, Johns,
31 David Johnson, Maher, Rohl, Rusch, Schoenfish, V. J. Smith, Stalzer, Tobin, and Wheeler

32 Nays: Diedrich, Duvall, Frye-Mueller, Brock Greenfield, Hunhoff, Klumb, Kolbeck, Nesiba,
33 Novstrup, Herman Otten, Schoenbeck, Steinhauer, Sutton, Symens, Wiik, and Zikmund

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 81**: FOR AN ACT ENTITLED, An Act to revise the definition of sexual contact.

2 Was read the second time.

3 The question being "Shall **SB 81** pass?"

4 And the roll being called:

5 Yeas 35, Nays 0, Excused 0, Absent 0

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

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

12 Sen. Schoenfish moved that the Senate do now adjourn, which motion prevailed and at 3:26
13 p.m. the Senate adjourned.

14

Kay Johnson, Secretary

