

JOURNAL OF THE SENATE

NINETY-EIGHTH SESSION

FOURTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Friday, January 13, 2023

The Senate convened at 12:30 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Fr. Joe Holzhauser, followed by the Pledge of Allegiance led by Senate page Mariah Stone.

Roll Call: All members present except Sens. Foster, Frye-Mueller, Hunhoff, and Reed 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 3rd 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

REPORTS OF STANDING COMMITTEES

2 Mr. President:

3 The Senate Committee on Legislative Procedures respectfully reports that it has had under
4 consideration the Senate rules and recommends that the Senate rules of the Ninety-seventh
5 Legislative Session be adopted as the Senate rules of the Ninety-eighth Legislative Session.

6
7

Respectfully submitted,
Lee Schoenbeck, Chair

8

MESSAGES FROM THE HOUSE

9 Mr. President:

10 I have the honor to inform your honorable body that the House has adopted the report of the
11 Joint-Select Committee relative to making arrangements for a memorial recognition of deceased
12 former members of the Senate and House.

13
14

Respectfully,
Patricia Miller, Chief Clerk

15

CONSIDERATION OF REPORTS OF COMMITTEES

16 Sen. Crabtree moved that the report of the Standing Committee on
17 Judiciary on **SB 52** as found on page 40 of the Senate Journal be adopted.
18 Which motion prevailed and the report was adopted.

19

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

20 **SB 60:** FOR AN ACT ENTITLED, An Act to make an appropriation for completing improvements
21 of the road leading to the former entrance into Palisades State Park and to declare an emergency.

22 Introduced by: **Senator** Pischke

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

24 **SB 59:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of
25 Education for grants to support career and technical education infrastructure projects.

26 Introduced by: **Senator** Wheeler

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

1

SECOND READING OF CONSENT CALENDAR ITEMS

2

SB 2: FOR AN ACT ENTITLED, An Act to revise Department of Corrections reporting requirements concerning abuse and neglect of individuals in private contracted facilities.

3

4

SB 6: FOR AN ACT ENTITLED, An Act to authorize community response teams to recommend alternative community-based resources for children alleged to be delinquent and children alleged to be in need of supervision prior to adjudication.

5

6

7

Were read the second time.

8

The question being "Shall **SB 2 and 6** pass?"

9

And the roll being called:

10

Yeas 31, Nays 0, Excused 4, Absent 0

11

Yeas: Beal, Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Brent "B.R." Hoffman, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Pischke, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

12

13

14

15

Excused: Foster, Frye-Mueller, Hunhoff, and Reed

16

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.

17

18

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

19

SB 41: FOR AN ACT ENTITLED, An Act to establish a program for housing infrastructure loans and grants, make an appropriation therefor, and to declare an emergency.

20

21

Was read the second time.

22

The question being "Shall **SB 41** pass?"

23

And the roll being called:

24

Yeas 29, Nays 2, Excused 4, Absent 0

25

Yeas: Bolin, Bordeaux, Breitling, Castleberry, Crabtree, Davis, Deibert, Diedrich, Duhamel, Brent "B.R." Hoffman, David Johnson, Klumb, Jack Kolbeck, Steve Kolbeck, Larson, Maher, Mehlhaff, Nesiba, Novstrup, Herman Otten, Rohl, Schoenbeck, Schoenfish, Stalzer, Tobin, Wheeler, Wiik, Wink, and Zikmund

26

27

28

29

Nays: Beal and Pischke

30

Excused: Foster, Frye-Mueller, Hunhoff, and Reed

31

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

32

1

COMMEMORATIONS

2

3

4

SC 802: A LEGISLATIVE COMMEMORATION, Celebrating the South Dakota State University Jackrabbit football team winning the NCAA Division I Football Championship Subdivision National Championship.

5

6

7

8

9

Introduced by: **Senators** Reed, Breitling, Castleberry, Crabtree, Davis, Duhamel, Jack Kolbeck, Herman Otten, Pischke, Rohl, Schoenbeck, Tobin, Wiik, and Zikmund and **Representatives** Reimer, Aylward, Bahmuller, Bartels, Blare, Chaffee, Chase, DeGroot, Deutsch, Drury, Duba, Emery, Fitzgerald, Gross, Heermann, Jamison, Kevin Jensen, Kassin, Kull, Massie, Moore, Mulder, Nelson, Perry, Drew Peterson, Pinnow, Reisch, Teunissen, Venhuizen, and Weisgram

10

11

Sen. Steve Kolbeck moved that the Senate do now adjourn, which motion prevailed and at 1:03 p.m. the Senate adjourned.

12

Kay Johnson, Secretary