

JOURNAL OF THE HOUSE

NINETY-SIXTH SESSION

FIRST DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, January 12, 2021

BE IT REMEMBERED, That on the twelfth day of January, A.D., two thousand twenty one, at the hour of twelve o'clock meridian, on the second Tuesday in January, being the day and hour fixed by the Constitution of the state of South Dakota for the convening of the Legislature, the Ninety-sixth regular session of the House of Representatives in the Capitol, in the city of Pierre, in the county of Hughes, and the state of South Dakota, the seat of government thereof, was called to order by Secretary of State Steve Barnett.

The following prayer was offered by Reverend Sam Handschke, Pierre/Fort Pierre Ministerial Association, Pierre, South Dakota:

Let us pray.

O Lord God,

I thank you that you have brought us to the beginning of a new year and a new session. I ask that you would guard and protect these Representatives and all who assist them. Give them safety as they travel. Grant them health and security as they interact with many people. As they pursue the goal of guiding and directing your people into the way of peace, provide them with wisdom and insight. Every night, allow them restful and refreshing sleep, and awaken them with energy to meet the challenges of the day.

In Jesus' name I pray. Amen.

The Pledge of Allegiance was led by House page Abigail Blagg.

1 I, STEVEN J. BARNETT, Secretary of State of the state of South Dakota, do hereby certify
2 that the elected members of the House of Representatives at the general election held on November 3, 2020
3 were certified on November 10, 2020, or November 23, 2020. I do hereby certify that these are the
4 members of the South Dakota House of Representatives for the 2021 Legislative Session.

5 District No. 1: Brown, Day, Marshall and Roberts Counties
6 Jennifer Keintz, Eden
7 Tamara St. John, Sisseton

8 District No. 2: Brown, Clark, Hamlin and Spink Counties
9 Lana Greenfield, Doland
10 Kaleb W. Weis, Aberdeen

11 District No. 3: Brown County
12 Carl E. Perry, Aberdeen
13 Drew Dennert, Aberdeen

14 District No. 4: Brookings, Codington, Deuel and Grant Counties
15 Fred Deutsch, Florence
16 John Mills, Volga

17 District No. 5: Codington County
18 Hugh M. Bartels, Watertown
19 Nancy York, Watertown

20 District No. 6: Lincoln County
21 Aaron Aylward, Harrisburg
22 Ernie Otten, Tea

23 District No. 7: Brookings County
24 Larry Tidemann, Brookings
25 Tim Reed, Brookings

26 District No. 8: Lake, Miner, Moody and Sanborn Counties
27 Marli Wiese, Madison
28 Randy Gross, Elkton

29 District No. 9: Minnehaha County
30 Rhonda Milstead, Hartford
31 Bethany Soye, Sioux Falls

32 District No. 10: Minnehaha County
33 Doug Barthel, Sioux Falls
34 Steven Haugaard, Sioux Falls

35 District No. 11: Minnehaha County
36 Mark K. Willadsen, Sioux Falls
37 Chris Karr, Sioux Falls

38 District No. 12: Lincoln and Minnehaha Counties
39 Arch Beal, Sioux Falls
40 Greg Jamison, Sioux Falls

41 District No. 13: Lincoln and Minnehaha Counties
42 Richard Thomason, Sioux Falls
43 Sue K. Lucas-Peterson, Sioux Falls

44 District No. 14: Minnehaha County
45 Taylor Rehfeldt, Sioux Falls
46 Erin Healy, Sioux Falls

1	District No. 15:	Minnehaha County
2		Linda Duba, Sioux Falls
3		Jamie Smith, Sioux Falls
4	District No. 16:	Lincoln and Union Counties
5		David L. Anderson, Hudson
6		Kevin D. Jensen, Canton
7	District No. 17:	Clay and Turner Counties
8		Richard Vasgaard, Centerville
9		Sydney Davis, Burbank
10	District No. 18:	Yankton County
11		Ryan Cwach, Yankton
12		Mike Stevens, Yankton
13	District No. 19:	Bon Homme, Douglas, Hanson, Hutchinson and McCook Counties
14		Kent S. Peterson, Salem
15		Marty Overweg, New Holland
16	District No. 20:	Aurora, Davison and Jerauld Counties
17		Paul R. Miskimins, Mitchell
18		Lance Koth, Mitchell
19	District No. 21:	Bon Homme, Charles Mix, Gregory and Tripp Counties
20		Caleb Finck, Tripp
21		Rocky Blare, Ideal
22	District No. 22:	Beadle and Kingsbury Counties
23		Roger Chase, Huron
24		Lynn Schneider, Huron
25	District No. 23:	Campbell, Edmunds, Faulk, Hand, McPherson, Potter, Spink and
26		Walworth Counties
27		Spencer Gosch, Glenham
28		Charlie Hoffman, Eureka
29	District No. 24:	Hughes, Hyde, Stanley and Sully Counties
30		Will Mortenson, Pierre
31		Mike Weisgram, Pierre
32	District No. 25:	Minnehaha County
33		Jon Hansen, Dell Rapids
34		Tom Pischke, Dell Rapids
35	District No. 26A:	Mellette and Todd Counties
36		Shawn Bordeaux, Mission
37	District No. 26B:	Brule, Buffalo, Jones and Lyman Counties
38		Rebecca Reimer, Chamberlain
39	District No. 27:	Bennett, Haakon, Jackson, Oglala Lakota and Pennington Counties
40		Liz May, Kyle
41		Peri Pourier, Pine Ridge
42	District No. 28A:	Corson, Dewey and Ziebach Counties
43		Oren Lesmeister, Parade
44	District No. 28B:	Butte, Harding and Perkins Counties
45		Sam Marty, Prairie City

- 1 District No. 29: Butte, Meade and Pennington Counties
- 2 Kirk Chaffee, Whitewood
- 3 Dean Wink, Howes

- 4 District No. 30: Custer, Fall River and Pennington Counties
- 5 Trish Ladner, Hot Springs
- 6 Tim R. Goodwin, Rapid City

- 7 District No. 31: Lawrence County
- 8 Mary J. Fitzgerald, Saint Onge
- 9 Scott Odenbach, Spearfish

- 10 District No. 32: Pennington County
- 11 Becky J. Drury, Rapid City
- 12 Chris Johnson, Rapid City

- 13 District No. 33: Meade and Pennington Counties
- 14 Taffy Howard, Rapid City
- 15 Phil Jensen, Rapid City

- 16 District No. 34: Pennington County
- 17 Jess Olson, Rapid City
- 18 Mike Derby, Rapid City

- 19 District No. 35: Pennington County
- 20 Tina L. Mulally, Rapid City
- 21 Tony Randolph, Rapid City

22 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the state
 23 of South Dakota, this 12th day of January 2021.

24 (SEAL)
 25

Steven J. Barnett
 Secretary of State

26 The oath of office was administered by the Honorable Steven R. Jensen, Justice of the Supreme
 27 Court of the state of South Dakota, to the following Representatives:

- | | | |
|----|-------------------|--------------------|
| 28 | David L. Anderson | Aaron Aylward |
| 29 | Hugh M. Bartels | Doug Barthel |
| 30 | Arch Beal | Rocky Blare |
| 31 | Shawn Bordeaux | Kirk Chaffee |
| 32 | Roger Chase | Ryan Cwach |
| 33 | Sydney Davis | Drew Dennert |
| 34 | Mike Derby | Fred Deutsch |
| 35 | Becky Drury | Linda Duba |
| 36 | Caleb Finck | Mary J. Fitzgerald |
| 37 | Tim R. Goodwin | Spencer Gosch |
| 38 | Lana Greenfield | Randy Gross |
| 39 | Jon Hansen | Steven Haugaard |
| 40 | Erin Healy | Charlie Hoffman |
| 41 | Taffy Howard | Greg Jamison |
| 42 | Kevin D. Jensen | Phil Jensen |
| 43 | Chris Johnson | Chris Karr |
| 44 | Jennifer Keintz | Lance Koth |
| 45 | Trish Ladner | |
| 46 | Sam Marty | Liz May |
| 47 | John Mills | Rhonda Milstead |
| 48 | Paul R. Miskimins | Will Mortenson |

1	Tina L. Mulally	Scott Odenbach
2	Jess Olson	Ernie Otten
3	Marty Overweg	Carl E. Perry
4	Kent S. Peterson	Sue K. Lucas-Peterson
5	Tom Pischke	Peri Pourier
6	Tony Randolph	Tim Reed
7	Taylor Rehfeldt	Rebecca Reimer
8	Lynn Schneider	Jamie Smith
9	Bethany Soye	Tamara St. John
10	Mike Stevens	Richard Thomason
11	Larry Tidemann	Richard Vasgaard
12	Kaleb W. Weis	Mike Weisgram
13	Dean Wink	Nancy York

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

15 When the roll was called, all members were present except Rep. Lesmeister who was excused.

16 Rep. Kent Peterson moved that the House do now proceed with the organization of the House
17 of Representatives.

18 Which motion prevailed.

19 Rep. Kent Peterson moved that Rep. Gosch be elected Speaker of the House of
20 Representatives for the 2021-2022 legislative term.

21 And the roll being called:

22 Yeas 67, Nays 2, Excused 1, Absent 0

23 Yeas:

24 Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Dennert,
25 Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Gosch, Lana Greenfield, Gross, Hansen,
26 Haugaard, Healy, Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,
27 Koth, Ladner, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie
28 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed, Rehfeldt,
29 Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Vasgaard, Weis, Weisgram,
30 Wiese, Willadsen, Wink, and York

31 Nays:

32 Anderson and Tidemann

33 Excused:

34 Lesmeister

35 Rep. Gosch having received an affirmative vote of a majority of the members-elect, was
36 declared to be the duly elected Speaker of the House of Representatives.

37 Reps. Kent Peterson, Chris Johnson, Jamie Smith, and Jon Hansen were appointed to escort
38 Rep. Gosch to the rostrum.

1 The oath of office was administered to Rep. Gosch, Speaker of the House of Representatives,
2 by the Honorable Steven R. Jensen, Chief Justice of the Supreme Court of the state of South Dakota.

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

4 Mr. Steve Barnett, Secretary of State, turned the gavel over to Speaker Gosch.

5 Speaker Gosch now presiding.

6 The Speaker announced that nominations for Speaker Pro tempore of the House of
7 Representatives were now in order.

8 Rep. Chris Johnson moved that Rep. Hansen be elected Speaker Pro tempore of the House of
9 Representatives for the 2021-2022 legislative term.

10 And the roll being called:

11 Yeas 69, Nays 0, Excused 1, Absent 0

12 Yeas:

13 Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,
14 Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,
15 Haugaard, Healy, Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,
16 Koth, Ladner, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie
17 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed, Rehfeldt,
18 Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis,
19 Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

20 Excused:

21 Lesmeister

22 Rep. Hansen having received an affirmative vote of a majority of the members-elect, was
23 declared to be the duly elected Speaker Pro tempore of the House of Representatives.

24 Reps. Kent Peterson, Chris Johnson, Jamie Smith, and Karr were appointed to escort
25 Rep. Hansen to the rostrum.

26 The oath of office was administered to Rep. Hansen, Speaker Pro tempore of the House of
27 Representatives, by the Honorable Steven R. Jensen, Chief Justice of the Supreme Court of the state
28 of South Dakota.

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

30 Rep. Spencer Gosch was elected Speaker and Rep. Jon Hansen was elected Speaker Pro
31 Tempore of the House of Representatives for the 2021-2022 Legislative Term on January 12, 2021.

32 The Speaker announced that nominations for Chief Clerk of the House of Representatives were
33 now in order.

34 Rep. Kent Peterson nominated Ms. Patricia Miller as Chief Clerk of the House of Representatives
35 for the 96th Legislative Session.

1 And the roll being called:

2 Yeas 69, Nays 0, Excused 1, Absent 0

3 Yeas:

4 Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,
5 Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,
6 Haugaard, Healy, Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,
7 Koth, Ladner, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie
8 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed, Rehfeldt,
9 Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis,
10 Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

11 Excused:

12 Lesmeister

13 Ms. Miller having received an affirmative vote of a majority of the members-elect, was declared
14 duly elected.

15 The oath of office was administered to Ms. Miller by the Honorable Steven R. Jensen, Chief
16 Justice of the Supreme Court of the state of South Dakota.

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

18 Speaker Gosch announced the appointment of the following employees of the House of
19 Representatives for the Ninety-sixth Legislative Session:

20 First Assistant to the Chief Clerk – Mary Beth Fravel

21 Second Assistant to the Chief Clerk – Judy Page

22 Third Assistant to the Chief Clerk – Shirleen Fugitt

23 Chief Chaplain – Craig Wexler

24 Sergeant at Arms – James Smith

25 Assistant Sergeant at Arms – Rollie Borth

26 Secretary to the Minority Party – Teagan McNary

27 Committee Secretaries – Nancy Bugay, Jean Denton, Pam Kean, Trista Olsen, David Smith

28 Pages (1st Term) – Abigail Blagg, Sean Coyle, Madison Dick, Tessa Erdmann, Grace Goebel,
29 Paige Pollreisz

30 Pages (2nd Term) – McKenna Carlson, Lydia Christian, Caroline Hoskins, Maxwell Kretschmar,
31 Amanda Lee, Ciara Nelson, Nolan Rounds, Kate Schnabel, Madison Stroud

32 Pages (3rd Term) – Lauren Albrecht, Julie Blom, Anna Bottesini, Madeline Brink, Scotland
33 Donovan, Avery Dooley, Liza Konechne, Kirstie Lake, Alexander Otten, Delaney Peterson,
34 Avery Wolff

35 Pages (4th Term) – Iris Anderson, Mollie Brown, Madeline Eich, Kaitlyn Ellis, William Goscicki,
36 Erica Ingerson, Kayle Lauck, Rupert Leaverton, Alexis Moran, Ella Stiefvater, Taylor Storbakken

1 Pages (5th Term) – Madyson Fleckenstein, Kira Goldade, Matea Gordon, Jace Herman, Korbin
2 Leddy

3 Legislative Interns – Frank Fitzgibbons, Lauren Jacobson, Karli Healey, Jakob Lund, Steve
4 Meyer, Aaron Morrison, Ty Paulsen, Ben Schelhaas, Bess Seaman, Isaiah Smith, Jonathon
5 Sundet, Matthew Sutton, Caleb Weiland

6 The oath of office was administered by the Honorable Steven R. Jensen, Chief Justice of the
7 Supreme Court of the state of South Dakota, to the following named employees:

8 First Assistant to the Chief Clerk – Mary Beth Fravel

9 Second Assistant to the Chief Clerk – Judy Page

10 Third Assistant to the Chief Clerk – Shirleen Fugitt

11 Sergeant at Arms – James Smith

12 Assistant Sergeant at Arms – Rollie Borth

13 Secretary to the Minority Party – Teagan McNary

14 Committee Secretaries – Nancy Bugay, Jean Denton, Pam Kean, Trista Olsen, David Smith

15 Pages (1st Term) – Abigail Blagg, Sean Coyle, Madison Dick, Tessa Erdmann, Grace Goebel,
16 Paige Pollreis

17 Legislative Interns – Frank Fitzgibbons, Lauren Jacobson, Karli Healey, Jakob Lund, Steve
18 Meyer, Aaron Morrison, Ty Paulsen, Ben Schelhaas, Bess Seaman, Isaiah Smith, Jonathon
19 Sundet, Matthew Sutton, Caleb Weiland

20 Which were subscribed to and placed on file in the office of the Secretary of State.

21 **MOTIONS AND RESOLUTIONS**

22 Rep. Kent Peterson moved that a Joint-Select committee of four on the part of the House be
23 appointed to meet with a committee of four on the part of the Senate to arrange for a memorial
24 recognition of deceased former members of the House and Senate.

25 Which motion prevailed and the Speaker appointed as such committee Reps. Hugaard, May,
26 Jamie Smith, and Blare.

27 Rep. Kent Peterson moved that the permanent rules of the House of Representatives for the
28 Ninety-fifth Legislative Session be adopted as the temporary House rules for the Ninety-sixth
29 Legislative Session.

30 The question being on Rep. Kent Peterson's motion that the permanent rules of the House of
31 Representatives for the Ninety-fifth Legislative Session be adopted as the temporary House rules
32 for the Ninety-sixth Legislative Session.

33 And the roll being called:

34 Yeas 67, Nays 2, Excused 1, Absent 0

1 Yeas:

2 Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,
3 Dennert, Derby, Deutsch, Drury, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,
4 Haugaard, Healy, Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,
5 Koth, Ladner, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie
6 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pourier, Randolph, Reed, Rehfeldt, Reimer,
7 Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram,
8 Wiese, Willadsen, Wink, York, and Speaker Gosch

9 Nays:

10 Duba and Pischke

11 Excused:

12 Lesmeister

13 So the motion having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the motion carried.

15 Rep. Kent Peterson moved that the permanent joint rules of the Ninety-fifth Legislative Session
16 with the recommended changes to those joint rules for the Ninety-sixth Legislative Session as
17 adopted in March, 2020, be adopted as the temporary joint rules for the Ninety-sixth Legislative
18 Session.

19 The question being on Rep. Kent Peterson's motion that the permanent joint rules of the
20 Ninety-fifth Legislative Session with the recommended changes to those joint rules for the Ninety-
21 sixth Legislative Session as adopted in March, 2020, be adopted as the temporary joint rules for the
22 Ninety-sixth Legislative Session.

23 And the roll being called:

24 Yeas 67, Nays 2, Excused 1, Absent 0

25 Yeas:

26 Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,
27 Dennert, Derby, Deutsch, Drury, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,
28 Haugaard, Healy, Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,
29 Koth, Ladner, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie
30 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pourier, Randolph, Reed, Rehfeldt, Reimer,
31 Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram,
32 Wiese, Willadsen, Wink, York, and Speaker Gosch

33 Nays:

34 Duba and Pischke

35 Excused:

36 Lesmeister

37 So the motion having received an affirmative vote of a majority of the members-elect, the
38 Speaker declared the motion carried.

1 **HB 1030:** FOR AN ACT ENTITLED, An Act to revise and clarify certain provisions regarding the
2 required minimum distribution methods of the South Dakota Retirement System.

3 Introduced by: The Committee on Retirement Laws at the request of the South Dakota
4 Retirement System

5 **HB 1038:** FOR AN ACT ENTITLED, An Act to make an appropriation from the coordinated
6 natural resources conservation fund to the State Conservation Commission and declare an
7 emergency.

8 Introduced by: The Committee on Appropriations at the request of the Department of
9 Agriculture

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

12 Introduced by: The Committee on Appropriations at the request of the Department of
13 Agriculture

14 **HB 1047:** FOR AN ACT ENTITLED, An Act to provide limited deer and antelope licenses to
15 landowners.

16 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
17 Department of Game, Fish and Parks

18 **HB 1048:** FOR AN ACT ENTITLED, An Act to revise provisions regarding the sales of certain
19 older vehicles at auction.

20 Introduced by: Representative Anderson

21 **HB 1049:** FOR AN ACT ENTITLED, An Act to create the used vehicle dealer education program
22 and revise provisions regarding used vehicle licensure requirements.

23 Introduced by: Representative Anderson

24 Were read the first time.

25 **HB 1027:** FOR AN ACT ENTITLED, An Act to identify Water Management Board officers,
26 authorize appointment of a prehearing officer, and define the duties of the prehearing officer.

27 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
28 Department of Environment and Natural Resources

29 **HB 1028:** FOR AN ACT ENTITLED, An Act to revise petition requirements and the criteria for
30 issuance of a water right permit.

31 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
32 Department of Environment and Natural Resources

33 **HB 1029:** FOR AN ACT ENTITLED, An Act to require a permit to conduct mining operations for
34 certain ore milling facilities.

35 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
36 Department of Environment and Natural Resources

1 **HB 1034:** FOR AN ACT ENTITLED, An Act to revise certain youth hunting requirements.

2 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
3 Department of Game, Fish and Parks

4 **HB 1035:** FOR AN ACT ENTITLED, An Act to remove the locking seal requirement for the
5 transportation of big game animals.

6 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
7 Department of Game, Fish and Parks

8 **HB 1036:** FOR AN ACT ENTITLED, An Act to correct technical errors in certain code cross-
9 references regarding the Department of Game, Fish and Parks.

10 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
11 Department of Game, Fish and Parks

12 **HB 1040:** FOR AN ACT ENTITLED, An Act to make an appropriation to fund certain small meat
13 processor grants and to declare an emergency.

14 Introduced by: The Committee on Appropriations at the request of the Department of
15 Agriculture

16 **HB 1042:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding riparian buffer
17 strips.

18 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
19 Department of Environment and Natural Resources

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

21 **HB 1001:** FOR AN ACT ENTITLED, An Act to correct technical errors in statutory cross-
22 references regarding insurance.

23 Introduced by: The Committee on Commerce and Energy at the request of the Department of
24 Labor and Regulation

25 **HB 1002:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding fingerprint-
26 based background checks for the Real Estate Commission and the appraiser certification program.

27 Introduced by: The Committee on Commerce and Energy at the request of the Department of
28 Labor and Regulation

29 **HB 1003:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding credit for
30 reinsurance.

31 Introduced by: The Committee on Commerce and Energy at the request of the Department of
32 Labor and Regulation

33 **HB 1009:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the licensing
34 of electricians and electrical contractors.

35 Introduced by: The Committee on Commerce and Energy at the request of the State Electrical
36 Commission

1 **HB 1010:** FOR AN ACT ENTITLED, An Act to revise the renewal date and maximum renewal
2 fee of certain licenses issued by the plumbing commission.

3 Introduced by: The Committee on Commerce and Energy at the request of the State Plumbing
4 Commission

5 **HB 1011:** FOR AN ACT ENTITLED, An Act to increase certain boiler inspection fees and dedicate
6 more of the fees to the state's boiler inspection program.

7 Introduced by: The Committee on Commerce and Energy at the request of the Department of
8 Public Safety

9 **HB 1014:** FOR AN ACT ENTITLED, An Act to establish uniform complaint and declaratory ruling
10 procedures for agencies regulating certain professions and occupations.

11 Introduced by: The Committee on Commerce and Energy at the request of the Department of
12 Labor and Regulation

13 **HB 1015:** FOR AN ACT ENTITLED, An Act to provide rule-making authority for establishing an
14 appraiser experience training and setting fees.

15 Introduced by: The Committee on Commerce and Energy at the request of the Department of
16 Labor and Regulation

17 **HB 1016:** FOR AN ACT ENTITLED, An Act to revise the structure and certain fees of the Board
18 of Barber Examiners, the Board of Massage Therapy, and the Cosmetology Commission.

19 Introduced by: The Committee on Commerce and Energy at the request of the Department of
20 Labor and Regulation

21 **HB 1037:** FOR AN ACT ENTITLED, An Act to authorize the increase of certain fees by the State
22 Electrical Commission.

23 Introduced by: The Committee on Commerce and Energy at the request of the Department of
24 Labor and Regulation

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

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

28 Introduced by: The Committee on Appropriations at the request of the Bureau of Finance and
29 Management

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

32 Introduced by: The Committee on Appropriations at the request of the Department of the
33 Military

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

35 **HB 1025:** FOR AN ACT ENTITLED, An Act to delete or revise certain outdated language relating
36 to education.

1 Introduced by: The Committee on Education at the request of the Department of Education

2 **HB 1044:** FOR AN ACT ENTITLED, An Act to transfer the Office of Indian Education to the
3 Department of Education.

4 Introduced by: Representatives Bordeaux, Haugaard, Phil Jensen, Pourier, Randolph, and St.
5 John and Senators Heinert, Foster, and V. J. Smith at the request of the Committee on State-Tribal
6 Relations

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

8 **HB 1004:** FOR AN ACT ENTITLED, An Act to repeal the registration requirement for medical
9 assistants.

10 Introduced by: The Committee on Health and Human Services at the request of the Board of
11 Medical and Osteopathic Examiners

12 **HB 1005:** FOR AN ACT ENTITLED, An Act to repeal the emergency medical technician-student
13 status license requirement.

14 Introduced by: The Committee on Health and Human Services at the request of the Board of
15 Medical and Osteopathic Examiners

16 **HB 1006:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the practice
17 of chiropractic.

18 Introduced by: The Committee on Health and Human Services at the request of the Board of
19 Chiropractic Examiners

20 **HB 1041:** FOR AN ACT ENTITLED, An Act to establish the South Dakota Board of Speech-
21 Language Pathology, Audiology, and Hearing Aid Dispensing and to repeal the South Dakota Board
22 of Hearing Aid Dispensers and Audiologists and the South Dakota Board of Examiners for Speech-
23 Language Pathology.

24 Introduced by: The Committee on Health and Human Services at the request of the Department
25 of Health

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

27 **HB 1043:** FOR AN ACT ENTITLED, An Act to provide enhanced permit criteria for current and
28 former law enforcement officers.

29 Introduced by: Representative Kevin Jensen

30 Was read the first time and referred to the Committee on Judiciary.

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

33 Introduced by: The Committee on Local Government at the request of the Bureau of
34 Administration

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

1 Introduced by: The Committee on Local Government at the request of the Bureau of
2 Administration

3 **HB 1045:** FOR AN ACT ENTITLED, An Act to revise certain tenant and landlord rights.

4 Introduced by: **Representative** Mulally

5 Were read the first time and referred to the Committee on Local Government.

6 **HB 1031:** FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the South
7 Dakota Retirement System.

8 Introduced by: The Committee on Retirement Laws at the request of the South Dakota
9 Retirement System

10 **HB 1032:** FOR AN ACT ENTITLED, An Act to revise the minimum cost of living adjustment and
11 revise terminology of the South Dakota Retirement System.

12 Introduced by: The Committee on Retirement Laws at the request of the South Dakota
13 Retirement System

14 **HB 1033:** FOR AN ACT ENTITLED, An Act to update certain provisions relating to the South
15 Dakota Retirement System, to revise certain provisions relating to reemployment after retirement
16 with the South Dakota Retirement System, and to declare an emergency.

17 Introduced by: The Committee on Retirement Laws at the request of the South Dakota
18 Retirement System

19 Were read the first time and referred to the Committee on Retirement Laws.

20 **HB 1046:** FOR AN ACT ENTITLED, An Act to limit liability for certain exposures to COVID-19.

21 Introduced by: **Representative** Anderson

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

23 **HB 1022:** FOR AN ACT ENTITLED, An Act to repeal certain obsolete state estate and
24 inheritance tax provisions.

25 Introduced by: The Committee on Taxation at the request of the Department of Revenue

26 **HB 1023:** FOR AN ACT ENTITLED, An Act to repeal obsolete property tax provisions and to
27 revise property tax cross-reference and land classification statutes.

28 Introduced by: The Committee on Taxation at the request of the Department of Revenue

29 **HB 1024:** FOR AN ACT ENTITLED, An Act to repeal obsolete provisions and revise statutory
30 cross-references for the energy minerals severance tax, state and municipal sales taxes, contractor's
31 excise tax, alcohol licenses, and gaming tax.

32 Introduced by: The Committee on Taxation at the request of the Department of Revenue

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

1 **HB 1012:** FOR AN ACT ENTITLED, An Act to update references to certain federal motor carrier
2 regulations.

3 Introduced by: The Committee on Transportation at the request of the Department of Public
4 Safety

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

6 There being no objection, the House reverted to Order of Business No. 4 - Communications
7 and Petitions.

8 **COMMUNICATIONS AND PETITIONS**

9 Mr. SPEAKER:

10 The Committee on Legislative Procedure respectfully reports that the Governor has been
11 notified that the Legislature is duly organized and ready to meet in Joint Session to receive any
12 communications she may desire to transmit and that the Governor is ready to appear before the
13 Joint Session to deliver her message.

14 Also, Mr. SPEAKER:

15 The Committee on Legislative Procedure respectfully reports that arrangements have been
16 made for a Joint Session of the Senate and the House of Representatives to receive the message of
17 the Governor. And:

18 That the Senate and the House will convene in Joint Session in the Chamber of the House of
19 Representatives at 1:00 p.m., January 12, 2021.

20 That the President of the Senate preside over the Joint Session and that the Secretary of the
21 Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

22 That the Justices of the Supreme Court and the elective and appointed officials of the state
23 government be invited to attend the Joint Session.

24 That when the message of the Governor has been received, the Joint Session be dissolved.

25 That the message of the Governor be printed in the Senate Journal.

26 Also, Mr. SPEAKER:

27 The Committee on Legislative Procedure respectfully reports that arrangements have been
28 made for a Joint Session of the Senate and the House of Representatives to receive a message of
29 the Chief Justice of the Supreme Court. And:

30 That the Senate and the House convene in Joint Session in the Chamber of the House of
31 Representatives at 1:30 p.m., January 13, 2021.

32 That the President of the Senate preside over the Joint Session and that the Secretary of the
33 Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

34 That the Justices of the Supreme Court, the Governor and elective and appointed officials of
35 the state government be invited to attend the Joint Session.

36 That when the message of the Chief Justice has been received, the Joint Session be dissolved.

1 That the message of the Chief Justice be printed in the Senate Journal.

2 Also, Mr. SPEAKER:

3 The Committee on Legislative Procedure respectfully reports that arrangements have been
4 made for a Joint Session of the Senate and the House of Representatives to receive a message of
5 the State of the Tribes from a Tribal Chairman. And:

6 That the Senate and the House convene in Joint Session in the Chamber of the House of
7 Representatives at 1:30 p.m., January 14, 2021.

8 That the President of the Senate preside over the Joint Session and that the Secretary of the
9 Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

10 That the Justices of the Supreme Court, the Governor and elective and appointed officials of
11 the state government be invited to attend the Joint Session.

12 That when the message of the Tribal Chairman has been received, the Joint Session be
13 dissolved.

14 That the message of the Tribal Chairman be printed in the Senate Journal.

15 The Speaker announced the appointment of the following standing committees and waived the
16 reading with no objections.

17 **House Standing Committees - 96th Session**

18 **** Denotes Chair** *** Denotes Vice-Chair**

19 **AGRICULTURE & NATURAL RESOURCES (13)**

20 ****Overweg, *Hoffman**, Blare, Chase, Finck, Goodwin, Ladner, Marty, Schneider, Vasgaard, Wink,
21 York, Lesmeister

22 **APPROPRIATIONS (9)**

23 ****Karr, *Howard**, Fitzgerald, Gross, Haugaard, May, Mills, Mulally, Duba

24 **COMMERCE & ENERGY (13)**

25 ****Milstead, *Beal**, Anderson, Bartels, Ladner, Perry, Reed, Schneider, Vasgaard, Weis, Weisgram,
26 Willadsen, Bordeaux

27 **EDUCATION (15)**

28 ****Greenfield (Lana), *Peterson (Sue)**, Bartels, Davis, Dennert, Deutsch, Jensen (Phil), Marty,
29 Miskimins, Mortenson, Odenbach, Soye, Stevens, Healy, Keintz

30 **GOVERNMENT OPERATIONS & AUDIT (5)**

31 ****Gross, *Otten (Ernie)**, Karr, Peterson (Sue), Duba

1

HEALTH & HUMAN SERVICES (13)

2

****Jensen (Kevin), *Deutsch,** Aylward, Davis, Jensen (Phil), Miskimins, Perry, Rehfeldt, St. John,
3 Weis, Wiese, Healy, Keintz

4

JUDICIARY (13)

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****Hansen, *Stevens,** Aylward, Barthel, Odenbach, Peterson (Sue), Pischke, Rehfeldt, Reimer,
6 Soye, St. John, Cwach, Pourier

7

LEGISLATIVE PROCEDURE (7)

8

****Gosch, *Hansen,** Finck, Haugaard, Johnson (Chris), Peterson (Kent), Healy

9

LOCAL GOVERNMENT (13)

10

****York, *Jamison,** Barthel, Drury, Greenfield (Lana), Hoffman, Johnson (Chris), Mortenson,
11 Olson, Reed, Thomason, Weisgram, Cwach

12

MILITARY AND VETERANS AFFAIRS (13)

13

****Randolph, *Gross,** Deutsch, Drury, Goodwin, Howard, Johnson (Chris), Marty, Olson, Overweg,
14 Tidemann, York, Pourier

15

RETIREMENT LAWS (5)

16

****Bartels, *Tidemann,** Perry, Cwach, Duba

17

STATE AFFAIRS (13)

18

****Peterson (Kent), *Johnson (Chris),** Anderson, Beal, Chaffee, Goodwin, Gosch, Hansen,
19 Jensen (Kevin), Reimer, Wiese, Lesmeister, Smith (Jamie)

20

TAXATION (13)

21

****Dennert, *Pischke,** Chaffee, Derby, Drury, Jamison, Koth, Olson, Otten (Ernie), Randolph,
22 Thomason, Tidemann, Pourier

23

TRANSPORTATION (13)

24

****Finck, *Blare,** Chase, Derby, Koth, Milstead, Otten (Ernie), Overweg, Randolph, Tidemann,
25 Willadsen, Wink, Bordeaux

26

Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 1:08 p.m.
27 the House adjourned.

28

Patricia Miller, Chief Clerk

1

JOINT SESSION

2

The Senate convened with the House of Representatives in the House Chamber for the purpose of receiving a message from the Governor, Kristi Noem. The President of the Senate, Larry Rhoden, presided.

3

4

The following prayer was delivered by Rev. Craig Wexler, Pierre/Fort Pierre Ministerial Association, Pierre, South Dakota:

5

We begin with a reading from scripture: (1st Samuel 8:4-9) So all the elders of Israel gathered together and came to Samuel at Ramah. They said to him, "You are old, and your sons do not follow your ways; now appoint a king to lead us, such as all the other nations have." But when they said, "Give us a king to lead us," this displeased Samuel; so, he prayed to the Lord. And the Lord told him: "Listen to all that the people are saying to you; it is not you they have rejected, but they have rejected me as their king. As they have done from the day I brought them up out of Egypt until this day, forsaking me and serving other gods, so they are doing to you. Now listen to them; but warn them solemnly and let them know what the king who will reign over them will claim as his rights."

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Almighty God, today we are reminded of our State Motto—"Under God the People Rule". May this be so! With all the guidance—with all the technology at our finger tips—I have prayed that one day, we might actually *learn from our mistakes*—we might learn from our past. Samuel spoke to the people of Israel—praying that they would 'Rule as People' trusting God instead of creating their own idols to trust. On this day Lord, we ask the question, "Are we any different?" Remind us today, Oh Lord, who it is that we are and *what we are called*...First and foremost, you have named us and claimed us to be yours—our primary identity as your creation is the name, "*CHILD OF GOD*." Secondly, as Americans and as South Dakotans—we also proclaim that we are "*DEMOCRACY—Not Republican—Not Democrat—Not Independent*." No matter our race—no matter our gender—no matter our wealth—no matter our heritage—no matter our political party...every one of us in this room has taken the same oath—an oath to uphold the constitution, but most importantly, the faithful oath of *LOVING GOD, AND LOVING OUR NEIGHBORS*. Reconcile us, Oh Lord—Forgive us, Oh God—Remind us of what we have been called and elected to do in a Christian, Faithful manner which requires humility, community, and dignity in this space, and in our home communities—in the best of times—but most importantly in the worst of times—times much like we are living in right now. I pray that we have not rejected you. I pray that we have learned from our Israelite ancestors—we do not need a King or Idol—*WE NEED YOU AND YOU ALONE*. I pray that we will cling to *Your* hope, *Your* will, *Your* promises, and *Your* desires for the people of this great state in the weeks and months ahead, so help us God. Amen.

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The Secretary of the Senate, Kay Johnson, called the roll of the Senate and the following members were present:

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

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The Chief Clerk of the House of Representatives, Patricia Miller, called the roll of the House and the following members were present:

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Anderson; Aylward; Bartels; Barthel; Beal; Blare; Bordeaux; Chaffee; Chase; Cwach; Davis; Dennert; Derby; Deutsch; Drury; Duba; Finck; Fitzgerald; Goodwin; Greenfield, Lana; Gross; Hansen; Haugaard; Healy; Hoffman; Howard; Jamison; Jensen, Kevin; Jensen, Phil; Johnson, Chris; Karr; Keintz; Koth; Ladner; Marty; May; Mills; Milstead; Miskimins; Mortenson; Mulally; Odenbach; Olson; Otten, Ernie; Overweg; Perry; Peterson, Kent; Peterson, Sue; Pischke; Pourier; Randolph; Reed; Rehfeldt; Reimer; Schneider; Smith, Jamie; Soye; St. John; Stevens; Thomason; Tidemann; Vasgaard; Weis; Weisgram; Wiese; Willadsen; Wink; York; Speaker Gosch.

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Sen. Cammack moved that a committee of three on the part of the Senate and a committee of three on the part of the House be appointed to escort the Honorable Kristi Noem, Governor of the State of South Dakota, to the rostrum.

1 Which motion prevailed and the President announced as such committee Sens. Schoenbeck,
2 Cammack, and Heinert on the part of the Senate and Reps. Kent Peterson, Hansen, and Jamie Smith
3 on the part of the House.

4 The Lieutenant Governor, Larry Rhoden, introduced the Honorable Kristi Noem, who delivered
5 the State of the State Address.

6 The Sergeant at Arms announced the arrival of the Honorable Kristi Noem, who was escorted
7 to the rostrum.

8 Sen. Cammack moved that the Joint Session do now dissolve.

9 Which motion prevailed.