

JOURNAL OF THE HOUSE

NINETY-SIXTH SESSION

SECOND DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, January 13, 2021

The House convened at 1:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Tom Rooney, followed by the Pledge of Allegiance led by House page Sean Coyle.

Roll Call: All members present except Reps. Phil Jensen, Lesmeister, and Schneider who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the first 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,
Spencer R. Gosch, Chair

Which motion prevailed.

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REPORTS OF JOINT-SELECT COMMITTEES

MR. SPEAKER:

Your Joint-Select Committee appointed to make arrangements for a Memorial Service for deceased former members of the South Dakota House of Representatives and Senate respectfully reports that they recommend that the House of Representatives and Senate recess and convene in the House Chamber at 3:00 p.m. on January 21, 2021, and that a Joint Memorial Resolution be introduced in their memory by their colleagues in the House of Representatives and Senate.

A short program will follow the introduction of the Memorial Resolution. At the conclusion of the Memorial Service, the Joint Session will be dissolved.

The Memorial Resolution shall be printed in the House and Senate Journals.

Respectfully submitted,
Steven G. Haugaard
Liz May
Jamie Smith
Rocky Blare
House Committee

Respectfully submitted,
Gary L. Cammack
Brock L. Greenfield
Lee Schoenbeck
Troy Heinert
Senate Committee

MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has appointed Sens. Cammack, Greenfield, Schoenbeck, and Heinert as a committee of four on the part of the Senate to meet with a committee of four on the part of the House for the purpose of arranging for a memorial recognition of deceased former members of the House and Senate.

Also MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has approved the adoption of the permanent joint rules of the Ninety-fifth Legislative Session with the recommended changes to those joint rules for the Ninety-sixth Legislative Session as adopted in March, 2020, as the temporary joint rules for the Ninety-sixth Legislative Session.

Respectfully,
Kay Johnson, Secretary

MOTIONS AND RESOLUTIONS

Rep. Kent Peterson moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on January 14, 2021, the 3rd legislative day.

Which motion prevailed.

The following bills were read on January 12, 2021, and today the Speaker assigned these bills to committees:

HB 1047 was referred to the Committee on Agriculture and Natural Resources.

1 **HB 1030** was referred to the Committee on Retirement Laws.

2 **HB 1048 and 1049** were referred to the Committee on Transportation.

3 Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 1:12 p.m.
4 the House adjourned.

5 Patricia Miller, Chief Clerk

6 **JOINT SESSION**

7 The Senate convened with the House of Representatives in the House Chamber for the purpose
8 of receiving a message from the Chief Justice of the Supreme Court, Steven R. Jensen. The President
9 of the Senate, Larry Rhoden, presided.

10 The following prayer was delivered by Pastor Tom Rooney, Sioux Falls, South Dakota:

11 Father, in keeping with the instructions we find in the Book of 1st Timothy, we come to you first
12 of all with our supplications, prayers, intercessions and giving of thanks for all people – for those
13 who are in authority, that we might lead quiet and peaceable lives in all godliness and reverence –
14 for this is good and acceptable in your sight, God our Savior.

15 The Bible is clear in its instructions that as your people, we are to seek Your face, humble
16 ourselves, and pray. Your promise in return is to hear from heaven, forgive our sin, and heal our
17 land. Even as our nation has suffered division, disunity, and discord, we pray for healing to bridge
18 the gap.

19 We are thankful, Lord, to live in a state in which, as our motto declares, "Under God, the people
20 rule." And, it is from your Word, in the book of Isaiah, that our form of government is clearly outlined
21 as we read, "The Lord is our judge, the Lord is our Lawgiver, the Lord is our King; he shall save us!"
22 In this passage, we see the judicial, the legislative, and the executive branches of government that
23 have served us so well for these 240+ years. We pray that each of those branches will do its part
24 to preserve and strengthen this state and our nation well into the future.

25 Scripture also instructs us that "righteousness exalts a nation." Lord, we pray that the actions
26 taken by this government will uphold righteousness and morality to guide and rule our people. We
27 ask, God, that by Your Holy Spirit, you will remind us as citizens of South Dakota, to pray for this
28 body of lawmakers, that their actions would be wise, and fair, and just.

29 Lord, You are all knowing, all wise. We seek that wisdom today on behalf of those who serve
30 in our Judicial system, that when they are called upon to resolve disputes and questions of law, they
31 will find a deep reservoir from which to draw wisdom, knowledge and understanding, and that they
32 will administer justice in a fair, even-handed manner.

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

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

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

41 Anderson; Aylward; Bartels; Barthel; Beal; Blare; Bordeaux; Chaffee; Chase; Cwach; Davis;
42 Dennert; Derby; Deutsch; Drury; Duba; Finck; Fitzgerald; Goodwin; Greenfield, Lana; Gross;
43 Hansen; Haugaard; Healy; Hoffman; Howard; Jamison; Jensen, Kevin; Johnson, Chris; Karr; Keintz;

1 Koth; Ladner; Marty; May; Mills; Milstead; Miskimins; Mortenson; Mulally; Odenbach; Olson; Otten,
2 Ernie; Overweg; Perry; Peterson, Kent; Peterson, Sue; Pischke; Pourier; Randolph; Reed; Rehfeldt;
3 Reimer; Smith, Jamie; Soye; St. John; Stevens; Thomason; Tidemann; Vasgaard; Weis: Weisgram;
4 Wiese; Willadsen; Wink; York; Speaker Gosch.

5 Sen. Cammack moved that a committee of three on the part of the Senate and a committee of
6 four on the part of the House be appointed to escort Chief Justice Steven R. Jensen to the rostrum.

7 Which motion prevailed and the President announced as such committee Sens. Schoenbeck,
8 Cammack, and Heinert on the part of the Senate and Reps. Kent Peterson, Hansen, Chris Johnson,
9 and Jamie Smith on the part of the House.

10 The Lieutenant Governor, Larry Rhoden, introduced the Honorable Steven R. Jensen, to deliver
11 the State of the Judiciary Address.

12 The Sergeant at Arms announced the arrival of Chief Justice Steven R. Jensen who was escorted
13 to the rostrum.

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

15 Which motion prevailed.