

JOURNAL OF THE HOUSE

NINETY-SIXTH SESSION

EIGHTEENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Monday, February 08, 2021

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Rev. Jake Krahn, followed by the Pledge of Allegiance led by House page Lauren Albrecht.

Roll Call: All members present except Reps. Aylward and St. John who were excused and Rep. Karr who was present remotely.

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 seventeenth 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.

1 The oath of office was administered by Speaker Gosch to the following named pages:

2 Lauren Albrecht, Julia Blom, Madeline Brink, Scotland Donovan, Avery Dooley, Aria
3 Gruenhagen, Emily Hervi, Liza Konechne, Kirstie Lake, Alexander Otten, Delaney Peterson, Avery
4 Wolff.

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

6 **REPORTS OF STANDING COMMITTEES**

7 Mr. SPEAKER:

8 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
9 Enrolling has carefully compared **HB 1001, 1002, 1003, 1009, 1025, 1030, 1043, 1070, 1082,**
10 **and 1083** and finds the same correctly enrolled.

11 Respectfully submitted,
12 Spencer R. Gosch, Chair

13 Also MR. SPEAKER:

14 The Committee on House State Affairs respectfully reports that it has had under consideration
15 **HB 1126** and returns the same with the recommendation that said bill be amended as follows:

16 1126A

17 On page 1, line 6, of the Introduced bill, delete ":

18 (1) An absentee ballot unless the voter has complied with §§ 12-19-2 or 12-19-2. 1; or

19 (2) An" and insert " an"

20 And that as so amended, said bill do pass.

21 Also MR. SPEAKER:

22 The Committee on House State Affairs respectfully reports that it has had under consideration
23 **HB 1125** and returns the same with the recommendation that said bill do pass.

24 Also MR. SPEAKER:

25 The Committee on House State Affairs respectfully reports that it has had under consideration
26 **SB 58 and 61** and returns the same with the recommendation that said bills do pass, and having
27 been certified as uncontested, be placed on the consent calendar.

28 Respectfully submitted,
29 Kent Peterson, Chair

30 Also MR. SPEAKER:

31 The Committee on House Education respectfully reports that it has had under consideration
32 **HB 1196** and returns the same with the recommendation that said bill do pass.

1 Also MR. SPEAKER:

2 The Committee on House Education respectfully reports that it has had under consideration
3 **HB 1205 and 1224** which were deferred to the 41st Legislative Day.

4 Respectfully submitted,
5 Lana Greenfield, Chair

6 Also MR. SPEAKER:

7 The Committee on House Judiciary respectfully reports that it has had under consideration
8 **HB 1150, and SB 62** and returns the same with the recommendation that said bills do pass, and
9 having been certified as uncontested, be placed on the consent calendar.

10 Also MR. SPEAKER:

11 The Committee on House Judiciary respectfully reports that it has had under consideration
12 **SB 60** and returns the same with the recommendation that said bill be amended as follows:

13 60B

14 On page 1, line 9, of the Senate Judiciary bill, remove the overstrikes from "eight "

15 On page 1, line 9, of the Senate Judiciary bill, after "eight " delete "ten "

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

18 Respectfully submitted,
19 Jon Hansen, Chair

20 Also MR. SPEAKER:

21 The Committee on House Commerce and Energy respectfully reports that it has had under
22 consideration **HB 1074 and 1113, and SB 51** and returns the same with the recommendation that
23 said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

24 Respectfully submitted,
25 Rhonda Milstead, Chair

26
27

MESSAGES FROM THE SENATE

28 Mr. SPEAKER:

29 I have the honor to return herewith **HB 1001, 1002, 1003, 1009, 1025, 1030, 1043, 1070,**
30 **1082, and 1083** which have passed the Senate without change.

31 Also Mr. SPEAKER:

32 I have the honor to transmit herewith **SB 108** which has passed the Senate and your favorable
33 consideration is respectfully requested.

1 Also Mr. SPEAKER:

2 I have the honor to transmit herewith **SCR 602** which has been adopted by the Senate and
3 your concurrence is respectfully requested.

4 Respectfully,
5 Kay Johnson, Secretary

6 **MOTIONS AND RESOLUTIONS**

7 The Speaker moved that **HB 1220** be referred from the Committee on Judiciary to the
8 Committee on Health and Human Services.

9 Which motion prevailed.

10 Rep. Kent Peterson moved that when we adjourn today, we adjourn to convene at 2:30 p.m.,
11 Tuesday, February 9, 2021, the 19th legislative day.

12 Which motion prevailed.

13 **SCR 602:** A CONCURRENT RESOLUTION, Supporting a United States Constitutional
14 amendment to retain nine justices on the United States Supreme Court.

15 Was read the first time.

16 The following bill was read on February 4, 2021, and today the Speaker assigned this bill to
17 committee:

18 **HCR 6008** was referred to the Committee on Health and Human Services.

19 **HCR 6005:** A CONCURRENT RESOLUTION, Celebrating Black History Month.

20 Was read the second time.

21 Rep. Phil Jensen moved that **HCR 6005** be amended as follows:

22 HCR6005C

23 On page 4, line 13, of the Introduced bill, after "and" delete " WHEREAS, of the nearly 200
24 nations in the world today, 94 still have not criminalized slavery or the slave trade; and"

25 On page 4, line 15, of the Introduced bill, after "and" delete " WHEREAS, there are currently
26 40 million slaves in the world—three times more than were taken in the entire 400 year history of
27 the transatlantic African slave trade; and"

28 On page 4, line 17, of the Introduced bill, after "and" delete " WHEREAS, the United States is
29 ranked as one of the top nations in the world when it comes to fighting slavery, the slave trade, and
30 human trafficking; and"

31 On page 4, line 22, of the Introduced bill, after "and" delete " WHEREAS, one example is a
32 1789 law that prohibited slavery in the federal territories but was reversed, in 1820, when
33 Democrats passed the Missouri Compromise; and"

- 1 On page 5, line 20, of the Introduced bill, after "Senate, " delete "after the majority of pro-
2 slavery Democrats resigned and seceded, "
- 3 On page 5, line 21, of the Introduced bill, after "and " delete "they "
- 4 On page 5, line 22, of the Introduced bill, after "1865, " delete "when "
- 5 On page 5, line 22, of the Introduced bill, after "slavery" delete ", only 21 percent of Democrats
6 in Congress voted to end slavery"
- 7 On page 5, line 24, of the Introduced bill, delete "Republican Senator Charles Sumner took"
8 and insert " a"
- 9 On page 5, line 25, of the Introduced bill, after "attorney" delete the em dash
- 10 On page 5, line 25, of the Introduced bill, delete "to the United States Supreme Court, where
11 he" and insert ", "
- 12 On page 5, line 27, of the Introduced bill, after "the " insert "United States "
- 13 On page 5, line 28, of the Introduced bill, after "Amendment, " delete "Republicans asked "
- 14 On page 5, line 29, of the Introduced bill, after "slave, " insert "was asked "
- 15 On page 6, line 10, of the Introduced bill, after "Amendment" insert the comma
- 16 On page 6, line 10, of the Introduced bill, after "Americans " delete "was passed, without a
17 single Democrat vote of support, "
- 18 On page 6, line 11, of the Introduced bill, delete the em dash and insert a comma
- 19 On page 6, line 11, of the Introduced bill, delete "—was then" and insert " were"
- 20 On page 6, line 12, of the Introduced bill, delete "also without Democrat" and insert " with only
21 Republican"
- 22 On page 6, line 24, of the Introduced bill, after "southern " delete "Democrat "
- 23 On page 7, line 10, of the Introduced bill, after "1875, " delete "Republicans had successfully
24 passed "
- 25 On page 7, line 11, of the Introduced bill, after "laws " insert "were passed "
- 26 On page 7, line 20, of the Introduced bill, after "1935, " delete "nearly 65 years after
27 Republicans had done so, "
- 28 On page 8, line 3, of the Introduced bill, after "that " delete "Republicans "
- 29 On page 8, line 3, of the Introduced bill, after "had " insert "been "
- 30 On page 8, line 4, of the Introduced bill, delete "been strongly opposed by Democrats" and
31 insert " received strong opposition"
- 32 On page 8, line 5, of the Introduced bill, delete "100 " and insert "99 "
- 33 On page 8, line 5, of the Introduced bill, after "Democrats " insert "and two Virginia Republicans
34 "
- 35 On page 8, line 5, of the Introduced bill, delete "81 " and insert "82 "

1 On page 8, line 11, of the Introduced bill, after "when " delete "Democrat "

2 On page 8, line 15, of the Introduced bill, after "and

3 WHEREAS, " delete "Republican "

4 On page 8, line 22, of the Introduced bill, after "and" delete " WHEREAS, in 1960, Democrat
5 President John F. Kennedy refused to sign an executive order to integrate public housing until the
6 violent racial discord in Birmingham in 1963 caused him to change his mind, after which he began
7 promoting the civil rights bill; and"

8 On page 8, line 25, of the Introduced bill, after "when " delete "Democrat "

9 On page 8, line 27, of the Introduced bill, after "by " delete "Democrat "

10 On page 9, line 5, of the Introduced bill, after "and" delete " WHEREAS, Democrats had it
11 completely within their power to pass those landmark civil rights bills but did not, and Republicans
12 overwhelmingly supported the 1964 Civil Rights Act, with 83 percent of Republicans voting for that
13 bill—a percentage of support almost 20 points higher than that of the Democrats; and"

14 The Speaker called for a roll call vote.

15 And the roll being called:

16 Yeas 35, Nays 33, Excused 2, Absent 0

17 Yeas:

18 Anderson, Bartels, Beal, Chaffee, Dennert, Deutsch, Finck, Gross, Hansen, Haugaard, Hoffman,
19 Howard, Phil Jensen, Chris Johnson, Karr, Ladner, Marty, May, Mills, Mulally, Odenbach, Olson,
20 Perry, Kent Peterson, Sue Peterson, Pischke, Randolph, Schneider, Soye, Stevens, Weis, Willadsen,
21 Wink, York, and Speaker Gosch

22 Nays:

23 Barthel, Blare, Bordeaux, Chase, Cwach, Davis, Derby, Drury, Duba, Fitzgerald, Goodwin, Lana
24 Greenfield, Healy, Jamison, Kevin Jensen, Keintz, Koth, Lesmeister, Milstead, Miskimins, Mortenson,
25 Ernie Otten, Overweg, Pourier, Reed, Rehfeldt, Reimer, Jamie Smith, Thomason, Tidemann,
26 Vasgaard, Weisgram, and Wiese

27 Excused:

28 Aylward and St. John

29 So the motion having received an affirmative vote of a majority of the members-present, the
30 Speaker declared the motion prevailed.

31 Rep. Duba moved that **HCR 6005** be amended as follows:

32 HCR6005B

33 On page 1, line 1, of the Introduced bill, after "Month" insert " and the achievements of African
34 Americans throughout the history of South Dakota"

35 On the Introduced bill, delete everything after the title and insert:

36 "

37 WHEREAS, Black History Month was first established in 1926 as Negro History Week by
38 historian Carter G. Woodson and the Association for the Study of Negro Life and History, and re-
39 established in 1976 as Black History Month by President Gerald Ford; and

1 WHEREAS, the mission of the South Dakota African American History Museum, founded in
2 2009 in Sioux Falls, is to foster greater appreciation for the perseverance of African Americans in
3 South Dakota through educational exhibits, community events, outreach, and historical
4 documentation and preservation; and

5 WHEREAS, the first African American who laid foot in South Dakota was York, who
6 participated in the Lewis and Clark expedition; and

7 WHEREAS, Sarah "Aunt Sally" Campbell was the first African American woman to own
8 property and an independent business in South Dakota, when she discovered gold in the Black Hills
9 and subsequently owned a half dozen mining claims and became a successful entrepreneur; and

10 WHEREAS, the Blair Family and others met in Yankton, in 1906, and established the
11 Northwestern Homestead Movement, which sought to relocate African Americans from Southern
12 states to homesteads in South Dakota and the Upper Midwest; and

13 WHEREAS, Cleveland Abbott was born in Yankton, graduated from high school in Watertown
14 with sixteen varsity letters, graduated from South Dakota State College, now South Dakota State
15 University, with fourteen varsity letters, was the head football coach at Tuskegee University for
16 thirty-two seasons, served in World War I, and coached the first two African American gold medal
17 winners; and

18 WHEREAS, Leonard "Bud" Williams served in World War II, the Korean War, and the Vietnam
19 War, and served his community as Director of Student Activities at the Mitchell Vocational Institute,
20 as a Mitchell city council member, and as the mayor of Mitchell; and

21 WHEREAS, the Reverend Dr. Martin Luther King, Jr., graced Sioux Falls with his presence in
22 January 1961; and

23 WHEREAS, Kenny Anderson, Sr. was the first, and so far the only, black city commissioner
24 for the city of Sioux Falls, and has a park and community center in the city named for him; and

25 WHEREAS, Emma Armstrong who lived to be 102 years of age, lived in Sioux Falls since
26 1945, touched the lives of many of the people referenced above, including Porter Williams, Kenny
27 Anderson, Bud Williams, and Martin Luther King, Jr., and dedicated her life to community service;

28 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-Sixth
29 Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature of the
30 State of South Dakota recognizes the deep history of African Americans in our great state and honors
31 them throughout the month of February, Black History Month, and the remainder of the year. "

32 Which motion lost. Rep. Duba called for a roll call vote but was not supported.

33 Rep. Phil Jensen moved that **HCR 6005** as found on page 148 of the House Journal be adopted.

34 The question being on Rep. Phil Jensen's motion that **HCR 6005** be adopted.

35 And the roll being called:

36 Yeas 4, Nays 64, Excused 2, Absent 0

37 Yeas:

38 Howard, Phil Jensen, Soye, and Weis

39 Nays:

40 Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Dennert,
41 Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,
42 Haugaard, Healy, Hoffman, Jamison, Kevin Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner,
43 Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie

1 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed, Rehfeldt,
2 Reimer, Schneider, Jamie Smith, Stevens, Thomason, Tidemann, Vasgaard, Weisgram, Wiese,
3 Willadsen, Wink, York, and Speaker Gosch

4 Excused:
5 Aylward and St. John

6 So the motion not having received an affirmative vote of a majority of the members-elect, the
7 Speaker declared the motion lost.

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

9 **SB 108:** FOR AN ACT ENTITLED, An Act to revise certain provisions related to cooperatives.

10 Was read the first time.

11 The following bill was read on February 1, 2021, and today the Speaker assigned this bill to
12 committee:

13 **SB 70** was referred to the Committee on Taxation.

14 The following bill was read on February 2, 2021, and today the Speaker assigned this bill to
15 committee:

16 **SB 80** was referred to the Committee on State Affairs.

17 The following bill was read on February 3, 2021, and today the Speaker assigned this bill to
18 committee:

19 **SB 96** was referred to the Committee on Health and Human Services.

20 The following bills were read on February 5, 2021, and today the Speaker assigned these bills
21 to committees:

22 **SB 109 and 150** were referred to the Committee on Commerce and Energy.

23 **SB 138** was referred to the Committee on Local Government.

24 The following bill was read on February 4, 2021, and today the Speaker assigned this bill to
25 committee:

26 **HB 1283** was referred to the Committee on Education.

27 **SECOND READING OF CONSENT CALENDAR ITEMS**

28 **HB 1065:** FOR AN ACT ENTITLED, An Act to adopt the emergency medical personnel licensure
29 interstate compact.

1 **SB 22:** FOR AN ACT ENTITLED, An Act to correct a technical error concerning a cross-reference
2 regarding a certain energy conservation program.

3 **SB 78:** FOR AN ACT ENTITLED, An Act to modify certain provisions related to trusts.

4 Were read the second time.

5 The question being "Shall **SB 78** pass as amended, and **HB 1065, and SB 22** pass?"

6 And the roll being called:

7 Yeas 68, Nays 0, Excused 2, Absent 0

8 Yeas:

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

16 Excused:

17 Aylward and St. John

18 So the bills having received an affirmative vote of a majority of the members-elect, the Speaker
19 declared the bills passed and the titles were agreed to.

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

21 **HB 1094:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the municipal
22 zoning and appeals process.

23 Was read the second time.

24 Rep. Pischke moved that **HB 1094** be amended as follows:

1094F

26 On page 1, line 19, of the House Local Government bill, after "authority" delete " who are
27 present and voting"

28 " On page 3, line 6, of the House Local Government bill, after "the " delete "present and voting
29 "

30 Which motion lost.

31 The question being "Shall **HB 1094** pass as amended?"

32 And the roll being called:

33 Yeas 50, Nays 18, Excused 2, Absent 0

1 Yeas:

2 Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Davis, Dennert, Derby,
3 Deutsch, Drury, Duba, Finck, Goodwin, Lana Greenfield, Gross, Hansen, Healy, Hoffman, Jamison,
4 Kevin Jensen, Chris Johnson, Karr, Koth, Ladner, Lesmeister, Miskimins, Mortenson, Olson,
5 Overweg, Perry, Kent Peterson, Sue Peterson, Pourier, Reed, Rehfeldt, Reimer, Schneider, Jamie
6 Smith, Stevens, Thomason, Tidemann, Vasgaard, Weisgram, Wiese, Willadsen, Wink, and York

7 Nays:

8 Cwach, Fitzgerald, Haugaard, Howard, Phil Jensen, Keintz, Marty, May, Mills, Milstead, Mulally,
9 Odenbach, Ernie Otten, Pischke, Randolph, Soye, Weis, and Speaker Gosch

10 Excused:

11 Aylward and St. John

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

14 **HB 1098:** FOR AN ACT ENTITLED, An Act to authorize the shipment of cigars to persons in
15 this state under certain conditions and to provide a penalty.

16 Having had its second reading was up for consideration and final passage.

17 The question being "Shall **HB 1098** pass?"

18 And the roll being called:

19 Yeas 65, Nays 3, Excused 2, Absent 0

20 Yeas:

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

28 Nays:

29 Haugaard, Randolph, and Weis

30 Excused:

31 Aylward and St. John

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

34 **HB 1109:** FOR AN ACT ENTITLED, An Act to modify requirements and restrictions related to
35 certain alcoholic beverages.

36 Having had its second reading was up for consideration and final passage.

37 The question being "Shall **HB 1109** pass as amended?"

38 And the roll being called:

39 Yeas 65, Nays 3, Excused 2, Absent 0

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

9 Nays:
10 Hugaard, Pourier, and Randolph

11 Excused:
12 Aylward and St. John

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

15 **HB 1117:** FOR AN ACT ENTITLED, An Act to revise provisions for public meetings held by
16 teleconference.

17 Was read the second time.

18 Rep. Reed moved that **HB 1117** be amended as follows:

19 1117A

20 On page 1, line 10, of the Introduced bill, delete "or " and insert "and "

21 On page 2, after line 4, of the Introduced bill, insert "

22 **Section 3.** That § 1-25-1.5 be AMENDED.

23 1-25-1.5. Teleconference meeting or hearing--Quorum--Vote.

24 Any official meeting may be conducted by teleconference. A teleconference may be used to
25 conduct a hearing or take final disposition regarding an administrative rule pursuant to § 1-26-4. A
26 member is deemed present if the member answers present to the roll call conducted by
27 teleconference for the purpose of determining a quorum. Each vote at an official meeting held by
28 teleconference shall be taken by roll call.

29 In the event all members of the public body are participating by teleconference, no member
30 may participate from the same location as any other member.

31 "

32 Which motion prevailed.

33 The question being "Shall **HB 1117** pass as amended?"

34 And the roll being called:

35 Yeas 11, Nays 57, Excused 2, Absent 0

1 Yeas:

2 Bartels, Barthel, Chase, Cwach, Jamison, Kent Peterson, Reed, Jamie Smith, Thomason,
3 Tidemann, and Weisgram

4 Nays:

5 Anderson, Beal, Blare, Bordeaux, Chaffee, Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck,
6 Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Healy, Hoffman, Howard, Kevin
7 Jensen, Phil Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner, Lesmeister, Marty, May, Mills,
8 Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie Otten, Overweg, Perry, Sue
9 Peterson, Pischke, Pourier, Randolph, Rehfeldt, Reimer, Schneider, Soye, Stevens, Vasgaard, Weis,
10 Wiese, Willadsen, Wink, York, and Speaker Gosch

11 Excused:

12 Aylward and St. John

13 So the bill not having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the bill lost.

15 **HB 1127**: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding official
16 meetings conducted by teleconference.

17 Having had its second reading was up for consideration and final passage.

18 The question being "Shall **HB 1127** pass?"

19 And the roll being called:

20 Yeas 50, Nays 18, Excused 2, Absent 0

21 Yeas:

22 Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Dennert,
23 Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Lana Greenfield, Gross, Hansen, Healy, Hoffman,
24 Jamison, Karr, Keintz, Koth, Ladner, Lesmeister, Mills, Milstead, Miskimins, Mortenson, Olson,
25 Overweg, Kent Peterson, Pourier, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, Stevens,
26 Thomason, Tidemann, Vasgaard, Weisgram, Willadsen, Wink, and York

27 Nays:

28 Goodwin, Haugaard, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Marty, May, Mulally,
29 Odenbach, Ernie Otten, Perry, Sue Peterson, Pischke, Randolph, Weis, Wiese, and Speaker Gosch

30 Excused:

31 Aylward and St. John

32 So the bill having received an affirmative vote of a majority of the members-elect, the Speaker
33 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 Having had its second reading was up for consideration and final passage.

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

2 And the roll being called:

3 Yeas 68, Nays 0, Excused 2, Absent 0

4 Yeas:

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

12 Excused:

13 Aylward and St. John

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

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

18 Was read the second time.

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

20 And the roll being called:

21 Yeas 68, Nays 0, Excused 2, Absent 0

22 Yeas:

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

30 Excused:

31 Aylward and St. John

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

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

36 Having had its second reading was up for consideration and final passage.

1 The question being "Shall **HB 1047** pass as amended?"

2 And the roll being called:

3 Yeas 51, Nays 17, Excused 2, Absent 0

4 Yeas:

5 Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Cwach, Davis, Derby, Deutsch,
6 Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Hoffman, Jamison, Kevin Jensen,
7 Phil Jensen, Chris Johnson, Koth, Ladner, Lesmeister, Marty, May, Mills, Miskimins, Mulally,
8 Odenbach, Olson, Perry, Kent Peterson, Sue Peterson, Pourier, Randolph, Reed, Reimer, Schneider,
9 Jamie Smith, Soye, Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram, Wiese, and Wink

10 Nays:

11 Chase, Dennert, Drury, Haugaard, Healy, Howard, Karr, Keintz, Milstead, Mortenson, Ernie
12 Otten, Overweg, Pischke, Rehfeldt, Willadsen, York, and Speaker Gosch

13 Excused:

14 Aylward and St. John

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

17 **HB 1102**: FOR AN ACT ENTITLED, An Act to revise certain definitions for sex offender registry.

18 Having had its second reading was up for consideration and final passage.

19 The question being "Shall **HB 1102** pass?"

20 And the roll being called:

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

22 Yeas:

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

30 Nays:

31 Randolph

32 Excused:

33 Aylward and St. John

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

36 **HB 1114**: FOR AN ACT ENTITLED, An Act to provide a definition of abortion.

37 Was read the second time.

1 The question being "Shall **HB 1114** pass?"

2 And the roll being called:

3 Yeas 61, Nays 7, Excused 2, Absent 0

4 Yeas:

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

11 Nays:

12 Bordeaux, Cwach, Duba, Healy, Keintz, Lesmeister, and Jamie Smith

13 Excused:

14 Aylward and St. John

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

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

18 **SB 3:** FOR AN ACT ENTITLED, An Act to enforce directives regarding contagious disease
19 control.

20 Was read the second time.

21 Rep. Davis moved that **SB 3** be amended as follows:

22 3K

23 On page 1, line 23, of the House Health and Human Services bill, after "tuberculosis, " delete
24 "severe acute respiratory syndrome coronavirus 2, which causes the disease known as COVID-19,
25 "

26 On page 2, line 1, of the House Health and Human Services bill, after "§ 34-22-42, " insert "or
27 for the period beginning July 1, 2021, and ending June 30, 2022, severe acute respiratory syndrome
28 coronavirus 2, which causes the disease known as COVID-19, "

29 On page 2, line 1, of the House Health and Human Services bill, after "and" insert " if"

30 Which motion prevailed.

31 The question being "Shall **SB 3** pass as amended?"

32 And the roll being called:

33 Yeas 49, Nays 19, Excused 2, Absent 0

34 Yeas:

35 Anderson, Bartels, Barthel, Beal, Bordeaux, Chaffee, Chase, Cwach, Davis, Derby, Deutsch,
36 Drury, Duba, Finck, Goodwin, Lana Greenfield, Gross, Healy, Hoffman, Jamison, Kevin Jensen,
37 Keintz, Koth, Ladner, Lesmeister, Mills, Miskimins, Mortenson, Odenbach, Olson, Perry, Kent

1 Peterson, Sue Peterson, Pourier, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Stevens,
2 Thomason, Tidemann, Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, and York

3 Nays:

4 Blare, Dennert, Fitzgerald, Hansen, Haugaard, Howard, Phil Jensen, Chris Johnson, Karr,
5 Marty, May, Milstead, Mulally, Ernie Otten, Overweg, Pischke, Randolph, Soye, and Speaker Gosch

6 Excused:

7 Aylward and St. John

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

10 **SB 53**: FOR AN ACT ENTITLED, An Act to revise certification and renewal fees for water supply
11 and treatment system operators.

12 Was read the second time.

13 The question being "Shall **SB 53** pass?"

14 And the roll being called:

15 Yeas 35, Nays 33, Excused 2, Absent 0

16 Yeas:

17 Anderson, Bartels, Barthel, Bordeaux, Chaffee, Chase, Cwach, Davis, Derby, Drury, Duba,
18 Finck, Healy, Hoffman, Jamison, Keintz, Koth, Ladner, Miskimins, Mortenson, Olson, Perry, Kent
19 Peterson, Reed, Rehfeldt, Schneider, Jamie Smith, Stevens, Thomason, Tidemann, Vasgaard,
20 Weisgram, Wiese, Willadsen, and Wink

21 Nays:

22 Beal, Blare, Dennert, Deutsch, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,
23 Haugaard, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Lesmeister, Marty, May, Mills,
24 Milstead, Mulally, Odenbach, Ernie Otten, Overweg, Sue Peterson, Pischke, Pourier, Randolph,
25 Reimer, Soye, Weis, York, and Speaker Gosch

26 Excused:

27 Aylward and St. John

28 So the bill not having received an affirmative vote of a two-thirds majority of the members-
29 elect, the Speaker declared the bill lost.

30 Rep. Hoffman announced his intention to reconsider the vote by which **SB 53** lost.

31 There being no objection, the House reverted to Order of Business No. 8 - Motions and
32 Resolutions.

33 MOTIONS AND RESOLUTIONS

34 Rep. Hansen moved that **HB 1261** be referred from the Committee on Judiciary to the
35 Committee on Education.

36 Which motion prevailed.

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SIGNING OF BILLS

The Speaker publicly read the title to

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

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

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

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

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

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

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

HB 1070: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the Unified Judicial System.

HB 1082: FOR AN ACT ENTITLED, An Act to revise certain state aid to education definitions for the 2021-2022 school year.

HB 1083: FOR AN ACT ENTITLED, An Act to grant authority to the secretary of education to waive accountability requirements in certain situations.

And signed the same in the presence of the House.

Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 4:43 p.m. the House adjourned.

Patricia Miller, Chief Clerk

