

# *JOURNAL OF THE HOUSE*

## *NINETY-SIXTH SESSION*

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THIRTY-SECOND DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Thursday, March 04, 2021

The House convened at 1:07 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, David Hussey, followed by the Pledge of Allegiance led by House pages Ella Stiefvater and Taylor Storbakken.

Roll Call: All members present except Rep. Weis who was 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 thirty-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.

Which motion prevailed.

Respectfully submitted,  
Spencer R. Gosch, Chair

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

9 A RESOLUTION, Expressing the appreciation and gratitude of the House of Representatives of  
 10 the Ninety-sixth Legislature of the State of South Dakota to Iris Anderson, Mollie Brown, Lydia  
 11 Christian, Kaitlyn Ellis, William Goscicki, Erica Ingerson, Kayle Lauck, Rupert Leaverton, Alexis  
 12 Moran, Nolan Rounds, Tabor Schabot, Ella Stiefvater, Taylor Storbakken.

13 WHEREAS, the above named served loyally as pages for the House of Representatives of the  
 14 Ninety-sixth Legislative Session; and

15 WHEREAS, the members of the Ninety-sixth House of Representatives express their most  
 16 sincere appreciation to these young people for their service to the state; and

17 WHEREAS, the members extend to these young people their wishes for every success in life:

18 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-sixth  
 19 Legislature of the State of South Dakota, that a personal copy of this resolution be duly certified  
 20 and furnished to each page on this last day of service.

21 Rep. Wiese moved that House Page Resolution 4 be adopted.

22 Which motion prevailed and the resolution was adopted.

23 **REPORTS OF STANDING COMMITTEES**

24 MR. SPEAKER:

25 The Committee on House Transportation respectfully reports that it has had under  
 26 consideration **SB 105** and returns the same said bill without recommendation.

27 Respectfully submitted,  
 28 Caleb Finck, Chair

29 Also MR. SPEAKER:

30 The Committee on House Local Government respectfully reports that it has had under  
 31 consideration **SB 145** and returns the same with the recommendation that said bill do pass, and  
 32 having been certified as uncontested, be placed on the consent calendar.

33 Respectfully submitted,  
 34 Nancy York, Chair

35 Also MR. SPEAKER:

36 The Committee on House Military and Veterans Affairs respectfully reports that it has had under  
 37 consideration **SB 65** and returns the same with the recommendation that said bill do pass, and  
 38 having been certified as uncontested, be placed on the consent calendar.

1 Also MR. SPEAKER:

2 The Committee on House Military and Veterans Affairs respectfully reports that it has had under  
3 consideration **SB 180** and returns the same with the recommendation that said bill be amended as  
4 follows:

5 180C

6 On page 1, line 10, of the Senate Military and Veterans Affairs bill, after "The " delete  
7 "Department of Veterans Affairs may promulgate rules pursuant to chapter 1-26 to establish a "

8 On page 1, line 12, of the Senate Military and Veterans Affairs bill, after "Cemetery" insert "  
9 shall be eight-hundred and twenty-five dollars"

10 On page 1, line 12, of the Senate Military and Veterans Affairs bill, after "Cemetery." delete "  
11 The fee may not exceed the United States Department of Veterans Affairs maximum plot allowance  
12 for a non-service connected death of a veteran."

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

15 Respectfully submitted,  
16 Tony Randolph, Chair

17 Also MR. SPEAKER:

18 The House Committee on Appropriations respectfully reports that it has had under  
19 consideration **SB 36** and returns the same with the recommendation that said bill be amended as  
20 follows:

21 36A

22 On page 1, line 10, of the Introduced bill, delete "\$794,645" and insert "\$1"

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

24 Also MR. SPEAKER:

25 The House Committee on Appropriations respectfully reports that it has had under  
26 consideration **SB 130, 131, 132, and 133** and returns the same with the recommendation that  
27 said bills do pass.

28 Respectfully submitted,  
29 Chris Karr, Chair

30 Also Mr. SPEAKER:

31 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and  
32 Enrolling has carefully compared **HB 1013, 1017, 1020, 1021, 1026, 1039, 1110, 1111, 1130,**  
33 **1254, and 1263, and HCR 6008 and 6010** and finds the same correctly enrolled.

34 Respectfully submitted,  
35 Spencer R. Gosch, Chair

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**MESSAGES FROM THE SENATE**

2 Mr. SPEAKER:

3 I have the honor to return herewith **HB 1013, 1017, 1020, 1021, 1026, 1039, 1110, 1111,**  
4 **1130, 1254, and 1263** which have passed the Senate without change.

5 Also Mr. SPEAKER:

6 I have the honor to return herewith **HCR 6008 and 6010** in which Senate has concurred.

7 Also Mr. SPEAKER:

8 I have the honor to inform your honorable body that the Senate has concurred in House  
9 amendments to **SB 150 and 178**.

10 Also Mr. SPEAKER:

11 I have the honor to transmit herewith **SB 17, 28, 33, 34, 35, 47, 48, 54, 93, 144, 149,**  
12 **162, 167, and 181** which have passed the Senate and your favorable consideration is respectfully  
13 requested.

14 Also Mr. SPEAKER:

15 I have the honor to transmit herewith **SCR 607** which has been adopted by the Senate and  
16 your concurrence is respectfully requested.

17  
18

Respectfully,  
Kay Johnson, Secretary

19

**MOTIONS AND RESOLUTIONS**

20 Rep. Hansen moved that the House do concur in Senate amendments to **HJR 5003**.

21 Rep. Healy made a substitute motion that the House do not concur in Senate amendments to  
22 **HJR 5003** and that a committee of three on the part of the House be appointed to meet with a like  
23 committee on the part of the Senate to adjust the differences between the two houses.

24 And the roll being called:

25 Yeas 21, Nays 47, Excused 2, Absent 0

26 Yeas:

27 Barthel, Blare, Bordeaux, Chase, Cwach, Davis, Drury, Duba, Lana Greenfield, Healy, Jamison,  
28 Keintz, Lesmeister, Miskimins, Olson, Reed, Jamie Smith, Tidemann, Weisgram, Wink, and York

29 Nays:

30 Anderson, Aylward, Bartels, Beal, Chaffee, Dennert, Derby, Deutsch, Finck, Fitzgerald,  
31 Goodwin, Gross, Hansen, Haugaard, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson,  
32 Karr, Koth, Ladner, Marty, May, Mills, Milstead, Mortenson, Mulally, Odenbach, Ernie Otten,

1 Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Randolph, Rehfeldt, Reimer, Schneider,  
2 Soye, St. John, Stevens, Thomason, Vasgaard, Wiese, Willadsen, and Speaker Gosch

3 Excused:  
4 Pourier and Weis

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

7 Rep. Dennert rose to a point of order that the legislator speaking had gone past the allotted  
8 five minutes. Speaker ruled that the clock was not running on the discussion.

9 Rep. Hansen moved that the House do concur in Senate amendments to **HJR 5003**.

10 The question being on Rep. Hansen's motion that the House do concur in Senate amendments  
11 to **HJR 5003**.

12 And the roll being called:

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

14 Yeas:  
15 Anderson, Aylward, Bartels, Barthel, Beal, Blare, Chaffee, Dennert, Derby, Deutsch, Drury,  
16 Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Hoffman, Howard, Jamison,  
17 Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Koth, Ladner, Marty, May, Mills, Milstead, Miskimins,  
18 Mortenson, Mulally, Odenbach, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke,  
19 Randolph, Reimer, Soye, St. John, Stevens, Vasgaard, Wiese, Willadsen, Wink, and Speaker Gosch

20 Nays:  
21 Bordeaux, Chase, Cwach, Davis, Duba, Healy, Keintz, Lesmeister, Olson, Reed, Rehfeldt,  
22 Schneider, Jamie Smith, Thomason, Tidemann, Weisgram, and York

23 Excused:  
24 Pourier and Weis

25 So the motion having received an affirmative vote of a majority of the members-elect, the  
26 Speaker declared the motion carried and the amendments were concurred in.

27 Rep. Kent Peterson moved that **SB 27** be deferred to Monday, March 8, 2021, the 33<sup>rd</sup> legislative  
28 day.

29 Which motion prevailed.

### 30 **CONSIDERATION OF REPORTS OF COMMITTEES**

31 Rep. Kent Peterson moved that the reports of the Standing Committees on

32 Education on **SB 128** as found on page 477 of the House Journal; and

33 State Affairs on **HR 7001** as found on page 477 of the House Journal be adopted.

34 Which motion prevailed and the reports were adopted.

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

2       **SB 17:** FOR AN ACT ENTITLED, An Act to authorize the South Dakota Department of  
3 Corrections to purchase certain real property, to make an appropriation, and to declare an  
4 emergency.

5       **SB 28:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the  
6 redesign and renovation of, and the design and construction of an addition to, the Sanford Jackrabbit  
7 Athletic Complex on the campus of South Dakota State University, together with equipment and  
8 furnishings, to make an appropriation therefor, and to declare an emergency.

9       **SB 33:** FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs related to  
10 the commissioning of the USS Pierre and to declare an emergency.

11       **SB 34:** FOR AN ACT ENTITLED, An Act to make an appropriation to expand rural access to  
12 broadband services and to declare an emergency.

13       **SB 35:** FOR AN ACT ENTITLED, An Act to make an appropriation to implement provisions  
14 concerning the legalization, regulation, and taxation of marijuana, and to declare an emergency.

15       **SB 47:** FOR AN ACT ENTITLED, An Act to make an appropriation for the maintenance and  
16 repair of state-owned dams and to declare an emergency.

17       **SB 48:** FOR AN ACT ENTITLED, An Act to authorize the payment of lease rental obligations to  
18 the South Dakota Health and Educational Facilities Authority, to make an appropriation therefor,  
19 and to declare an emergency.

20       **SB 54:** FOR AN ACT ENTITLED, An Act to make an appropriation to build a bison visitors center  
21 in Custer State Park and to declare an emergency.

22       **SB 93:** FOR AN ACT ENTITLED, An Act to make an appropriation to rehabilitate the rail line  
23 from west of the city of Fort Pierre to the city of Rapid City and to declare an emergency.

24       **SB 144:** FOR AN ACT ENTITLED, An Act to make an appropriation to provide for a crisis  
25 stabilization unit and to declare an emergency.

26       **SB 149:** FOR AN ACT ENTITLED, An Act to revise an appropriation regarding the fire insurance  
27 premium tax.

28       **SB 162:** FOR AN ACT ENTITLED, An Act to appropriate funds for airport route restoration,  
29 business development, and air service marketing and to declare an emergency.

30       **SB 167:** FOR AN ACT ENTITLED, An Act to establish criteria for a regional nursing facility  
31 designation, to provide an appropriation therefor, and to declare an emergency.

32       **SB 181:** FOR AN ACT ENTITLED, An Act to make an appropriation for road improvements  
33 leading to the State Veterans Cemetery and to declare an emergency.

34       **SCR 607:** A CONCURRENT RESOLUTION, Affirming the Legislature's support of the  
35 constitutional right to keep and bear arms.

36       Were read the first time and the Speaker waived the committee referral pursuant to Joint Rule  
37 6D-1.

38       The following bills were read on March 1, 2021, and today the Speaker waived committee  
39 referral pursuant to Joint Rule 6D-1:

1 **SB 118:** FOR AN ACT ENTITLED, An Act to enhance South Dakota.

2 **SB 119:** FOR AN ACT ENTITLED, An Act to accommodate legislation on medical services.

3 **SB 120:** FOR AN ACT ENTITLED, An Act to accommodate legislation relating to education in  
4 South Dakota.

5 **SB 121:** FOR AN ACT ENTITLED, An Act to accommodate legislation relating to the protection  
6 of public safety.

7 The following bills were read on March 2, 2021, and today the Speaker waived committee  
8 referral pursuant to Joint Rule 6D-1:

9 **SB 156:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the  
10 construction of a Mineral Industry Building and the demolition of the old Mineral Industry Building  
11 on the campus of South Dakota School of Mines and Technology, to make an appropriation therefor,  
12 and to declare an emergency.

13 **SB 186:** FOR AN ACT ENTITLED, An Act to make an appropriation for behavioral and mental  
14 health service support in crisis stabilization and to declare an emergency.

15 The following bills were read on March 3, 2021, and today the Speaker waived committee  
16 referral pursuant to Joint Rule 6D-1:

17 **SB 99:** FOR AN ACT ENTITLED, An Act to authorize the Department of Agriculture to contract  
18 for the construction of a livestock and equestrian complex at the State Fair, to make an appropriation  
19 therefor, and to declare an emergency.

20 **SB 191:** FOR AN ACT ENTITLED, An Act to provide an appropriation for a study regarding the  
21 future renovation and expansion of the Meat Laboratory on the campus of South Dakota State  
22 University and to declare an emergency.

23 **SB 192:** FOR AN ACT ENTITLED, An Act to provide an appropriation for the renovation and  
24 upgrading of the South Dakota State University Cottonwood Field Station and to declare an  
25 emergency.

## 26 **SECOND READING OF CONSENT CALENDAR ITEMS**

27 **SB 75:** FOR AN ACT ENTITLED, An Act to correct an error in a statutory cross-reference within  
28 the Uniform Limited Liability Company Act.

29 **SB 95:** FOR AN ACT ENTITLED, An Act to provide immunity for actions assisting an impaired  
30 lawyer or judge.

31 **SB 126:** FOR AN ACT ENTITLED, An Act to establish the crime of possession, manufacturing,  
32 or distribution of obscene dolls.

33 **SB 148:** FOR AN ACT ENTITLED, An Act to establish the crime of torture of a human trafficking  
34 victim and provide a penalty therefor.

35 **SB 182:** FOR AN ACT ENTITLED, An Act to revise provisions regarding owner occupied dwelling  
36 requirements.

37 Were read the second time.

38 The question being "Shall **SB 95, 126, and 148** pass as amended, and **SB 75 and 182** pass?"

1 And the roll being called:

2 Yeas 68, Nays 0, Excused 2, 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, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach,  
8 Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Randolph, Reed,  
9 Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann,  
10 Vasgaard, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

11 Excused:

12 Pourier and Weis

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

15 The question being on the title.

16 Rep. Mulally moved that the title to **SB 95** be amended as follows:

17 95B

18 On page 1, line 1, of the Senate Judiciary bill, delete "immunity " and insert "protection "

19 Which motion prevailed and the title was so amended.

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

21 **SB 44:** FOR AN ACT ENTITLED, An Act to authorize, regulate, and tax wagering on sporting  
22 events within the city limits of Deadwood and provide a penalty for a violation thereof.

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

24 The question being "Shall **SB 44** pass as amended?"

25 And the roll being called:

26 Yeas 58, Nays 8, Excused 4, Absent 0

27 Yeas:

28 Anderson, Aylward, Bartels, Barthel, Beal, Bordeaux, Chaffee, Chase, Cwach, Davis, Dennert,  
29 Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Healy,  
30 Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Keintz, Koth, Ladner,  
31 Lesmeister, Marty, May, Miskimins, Mortenson, Mulally, Odenbach, Olson, Perry, Kent Peterson,  
32 Pischke, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Thomason, Tidemann,  
33 Vasgaard, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

34 Nays:

35 Blare, Haugaard, Mills, Ernie Otten, Overweg, Sue Peterson, Randolph, and Stevens

36 Excused:

37 Karr, Milstead, Pourier, and Weis



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

3 **SB 80**: FOR AN ACT ENTITLED, An Act to provide for counties, reservations, and municipalities  
4 in the legislative redistricting process.

5 Was read the second time.

6 Rep. Derby moved that **SB 80** be amended as follows:

7 80F

8 On page 1, line 11, of the Senate bill, after "boundaries" delete ", specifically, counties,  
9 reservations, and municipalities"

10 Which motion prevailed.

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

12 And the roll being called:

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

14 Yeas:

15 Anderson, Aylward, Bartels, Barthel, Beal, Blare, Chaffee, Cwach, Davis, Derby, Deutsch,  
16 Drury, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Healy, Hoffman,  
17 Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Koth, Ladner, Marty, May, Mills,  
18 Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Overweg, Perry, Kent Peterson, Sue  
19 Peterson, Pischke, Randolph, Reed, Rehfeldt, Schneider, Jamie Smith, Soye, Thomason, Vasgaard,  
20 Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

21 Nays:

22 Bordeaux, Chase, Dennert, Duba, Keintz, Lesmeister, Ernie Otten, Reimer, St. John, Stevens,  
23 and Tidemann

24 Excused:

25 Pourier and Weis

26 So the bill having received an affirmative vote of a majority of the members-elect, the Speaker  
27 declared the bill passed.

28 The question being on the title.

29 Rep. Hansen moved that the title to **SB 80** be amended as follows:

30 80G

31 On page 1, line 1, of the Senate bill, delete "provide for counties, reservations, and  
32 municipalities in" and insert "revise provisions regarding"

33 Which motion prevailed and the title was so amended.

34 **SB 97**: FOR AN ACT ENTITLED, An Act to modify provisions regarding the State-Tribal  
35 Relations Committee.

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

2 The question being "Shall **SB 97** pass as amended?"

3 And the roll being called:

4 Yeas 43, Nays 26, Excused 1, Absent 0

5 Yeas:

6 Aylward, Bartels, Beal, Chaffee, Dennert, Deutsch, Drury, Finck, Fitzgerald, Goodwin, Lana  
7 Greenfield, Gross, Hansen, Hoffman, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Koth,  
8 Ladner, Marty, Mills, Milstead, Miskimins, Mulally, Odenbach, Olson, Ernie Otten, Overweg, Kent  
9 Peterson, Sue Peterson, Randolph, Reimer, Schneider, Soye, St. John, Stevens, Vasgaard, Wiese,  
10 Wink, York, and Speaker Gosch

11 Nays:

12 Anderson, Barthel, Blare, Bordeaux, Chase, Cwach, Davis, Derby, Duba, Haugaard, Healy,  
13 Howard, Keintz, Lesmeister, May, Mortenson, Perry, Pischke, Pourier, Reed, Rehfeldt, Jamie Smith,  
14 Thomason, Tidemann, Weisgram, and Willadsen

15 Excused:

16 Weis

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

19 **SB 175:** FOR AN ACT ENTITLED, An Act to remove certain eligibility requirements for the  
20 partners in education tax credit program.

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

22 The question being "Shall **SB 175** pass as amended?"

23 And the roll being called:

24 Yeas 60, Nays 9, Excused 1, Absent 0

25 Yeas:

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

32 Nays:

33 Anderson, Chase, Cwach, Keintz, Mortenson, Reed, Jamie Smith, Tidemann, and Willadsen

34 Excused:

35 Weis

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

1 **SB 183:** FOR AN ACT ENTITLED, An Act to declare certain contract provisions regarding  
2 abortion as unenforceable and to provide a penalty therefor.

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

4 The question being "Shall **SB 183** pass as amended?"

5 And the roll being called:

6 Yeas 64, Nays 5, Excused 1, Absent 0

7 Yeas:

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

15 Nays:

16 Bordeaux, Duba, Healy, Keintz, and Jamie Smith

17 Excused:

18 Weis

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

21 **SB 139:** FOR AN ACT ENTITLED, An Act to increase the base salary for certain judges.

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

23 The question being "Shall **SB 139** pass?"

24 And the roll being called:

25 Yeas 62, Nays 7, Excused 1, Absent 0

26 Yeas:

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

34 Nays:

35 Aylward, Dennert, Goodwin, Phil Jensen, Overweg, Pischke, and York

36 Excused:

37 Weis

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

1 **SB 79:** FOR AN ACT ENTITLED, An Act to make certain uses of laser pointers unlawful.

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

3 The question being "Shall **SB 79** pass as amended?"

4 And the roll being called:

5 Yeas 65, Nays 4, Excused 1, Absent 0

6 Yeas:

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

14 Nays:

15 Bordeaux, Karr, Pourier, and Speaker Gosch

16 Excused:

17 Weis

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

20 **SB 164:** FOR AN ACT ENTITLED, An Act to modify the process for civil forfeiture.

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

22 The question being "Shall **SB 164** pass as amended?"

23 And the roll being called:

24 Yeas 54, Nays 15, Excused 1, Absent 0

25 Yeas:

26 Aylward, Barthel, Beal, Bordeaux, Chaffee, Chase, Cwach, Davis, Dennert, Derby, Deutsch,  
27 Duba, Finck, Goodwin, Gross, Hansen, Healy, Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen,  
28 Chris Johnson, Karr, Keintz, Koth, Ladner, Marty, May, Miskimins, Mortenson, Mulally, Odenbach,  
29 Olson, Ernie Otten, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed, Rehfeldt,  
30 Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Weisgram, Wiese, Wink,  
31 and Speaker Gosch

32 Nays:

33 Anderson, Bartels, Blare, Drury, Fitzgerald, Lana Greenfield, Haugaard, Lesmeister, Mills,  
34 Milstead, Overweg, Reimer, Vasgaard, Willadsen, and York

35 Excused:

36 Weis

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

1 **SB 173**: FOR AN ACT ENTITLED, An Act to revise certain provisions related to competency  
2 hearings.

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

4 The question being "Shall **SB 173** pass as amended?"

5 And the roll being called:

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

7 Yeas:

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

15 Nays:

16 Gross, Mills, Mulally, and Odenbach

17 Excused:

18 Pourier and Weis

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

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

### 23 **MOTIONS AND RESOLUTIONS**

24 The Speaker appointed Representatives Perry (Chair), Milstead, and Healy as a committee of  
25 three on the part of the House to meet with a like committee on the part of the Senate to adjust  
26 the differences between the two houses on **SB 77**.

### 27 **COMMEMORATIONS**

28 **HC 8003**: A LEGISLATIVE COMMEMORATION, Honoring Rich and Sara Grim as the 2020 Hugh  
29 Hammond Bennett National Award for Conservation Excellence recipients.

30 **Introduced by: Representatives** Blare, Bartels, Chaffee, Duba, Finck, **and** Perry **and**  
31 **Senators** Duvall, V. J. Smith, Stalzer, Tobin, **and** Wiik

1 **HC 8004:** A LEGISLATIVE COMMEMORATION, Honoring the South Dakota Health Care  
2 Association on the occasion of its seventieth anniversary.

3 **Introduced by: Representative Karr and Senator Wiik.**

4 **SIGNING OF BILLS**

5 The Speaker publicly read the title to

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

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

10 **HB 1020:** FOR AN ACT ENTITLED, An Act to make an appropriation to continue the veteran's  
11 bonus program and to declare an emergency.

12 **HB 1021:** FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse certain health  
13 care professionals who have complied with the requirements for certain health care recruitment  
14 assistance programs and to declare an emergency.

15 **HB 1026:** FOR AN ACT ENTITLED, An Act to make an appropriation for the payment of  
16 extraordinary litigation expenses and to declare an emergency.

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

19 **HB 1110:** FOR AN ACT ENTITLED, An Act to prohibit the performance of abortions due to Down  
20 syndrome and to provide a penalty therefor.

21 **HB 1111:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding inspections  
22 and seizures by, and forfeitures involving, the Department of Game, Fish and Parks.

23 **HB 1130:** FOR AN ACT ENTITLED, An Act to establish requirements for the presentation of a  
24 written statement regarding the discontinuance of a drug-induced abortion.

25 **HB 1254:** FOR AN ACT ENTITLED, An Act to prohibit preferential treatment in higher education  
26 employment practices.

27 **HB 1263:** FOR AN ACT ENTITLED, An Act to provide price transparency for health care costs.

28 And signed the same in the presence of the House.

29 Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 3:38 p.m.  
30 the House adjourned.

31

Patricia Miller, Chief Clerk