

# *JOURNAL OF THE HOUSE*

## *NINETY-SIXTH SESSION*

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THIRTY-FOURTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Tuesday, March 09, 2021

The House convened at 1:15 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Sam Handschke, followed by the Pledge of Allegiance led by House page Kira Goldade.

Roll Call: All members present except Reps. Olson and Rehfeldt 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 thirty-third 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

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**COMMUNICATIONS AND PETITIONS**

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March 8, 2021

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Mr. Speaker and Members of the House:

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I have the honor to inform you that on March 8, 2021, I approved House Bills 1007, 1008, 1055, 1057, 1074, 1098, 1113, 1119, and 1125, and the same have been deposited in the office of the Secretary of State.

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Respectfully submitted,

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Kristi Noem

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Governor

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**REPORTS OF STANDING COMMITTEES**

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Mr. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **HB 1038, 1047, 1080, 1081, 1094, 1096, 1131, 1154, 1155, 1199, 1210, 1212, 1217, 1228, 1264, and 1273, and HC 8003 and 8004, and HCR 6005 and 6015, and HR 7001** and finds the same correctly enrolled.

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Respectfully submitted,

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Spencer R. Gosch, Chair

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Also Mr. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that **HB 1013, 1017, 1020, 1021, 1026, 1039, 1061, 1065, 1084, 1085, 1102, 1110, 1111, 1114, 1124, 1127, 1130, 1143, 1179, 1189, 1192, 1197, 1203, 1204, 1232, 1235, 1254, 1258, 1261, and 1263** were delivered to her Excellency, the Governor, for her approval at 9:15 a.m., March 9, 2021.

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Respectfully submitted,

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Spencer R. Gosch, Chair

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Also Mr. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that **HJR 5003** was delivered to his Excellency, the Secretary of State, for his approval at 9:15 a.m., March 9, 2021.

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Respectfully submitted,

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Spencer R. Gosch, Chair

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**MESSAGES FROM THE SENATE**

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Mr. SPEAKER:

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I have the honor to return herewith **HB 1038, 1047, 1080, 1081, 1094, 1096, 1131, 1154, 1155, 1199, 1210, 1212, 1217, 1264, and 1273** which have passed the Senate without change.

33

1 Also Mr. SPEAKER:

2 I have the honor to inform your honorable body that the Senate has concurred in House  
3 amendments to **SB 103**.

4 Also Mr. SPEAKER:

5 I have the honor to return herewith **HCR 6006 and 6015** in which Senate has concurred.

6 Also Mr. SPEAKER:

7 I have the honor to return herewith **HB 1018, 1064, 1100, 1139, 1140, 1153, 1166, 1169,**  
8 **1171, 1191, 1256, 1259, 1265, and 1266, and HCR 6012** which have been amended by the  
9 Senate and your concurrence in the amendments is respectfully requested.

10 Also Mr. SPEAKER:

11 I have the honor to inform your honorable body that **HB 1135, 1137, 1167, 1182, 1237,**  
12 **and 1267** were lost on second reading and final passage.

13 Also Mr. SPEAKER:

14 I have the honor to inform your honorable body that **HB 1135, 1137, 1167, 1182, 1237,**  
15 **and 1267** were tabled.

16 Respectfully,  
17 Kay Johnson, Secretary

## 18 MOTIONS AND RESOLUTIONS

19 Rep. Kent Peterson moved that when we adjourn today, we adjourn to convene at 10:00 a.m.,  
20 Wednesday, March 10, 2021, the 35<sup>th</sup> legislative day.

21 Which motion prevailed.

22 **SCR 606:** A CONCURRENT RESOLUTION, Commending automotive enthusiasts in South  
23 Dakota and the Specialty Equipment Market Association for their contributions in preserving classic  
24 automobiles and urging the Governor to declare a South Dakota Collector Car Appreciation Week.

25 Was read the second time.

26 Rep. Kevin Jensen moved that **SCR 606** as found on page 505 of the House Journal be  
27 concurred in.

28 The question being on Rep. Kevin Jensen's motion that **SCR 606** be concurred in.

29 And the roll being called:

30 Yeas 67, Nays 0, Excused 3, Absent 0

1 Yeas:

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

9 Excused:

10 Howard, Olson, and Rehfeldt

11 So the motion having received an affirmative vote of a majority of the members-elect, the  
12 Speaker declared the motion carried and **SCR 606** was concurred in.

13 Rep. Karr moved that the House do concur in Senate amendments to **HB 1018**.

14 The question being on Rep. Karr's motion that the House do concur in Senate amendments to  
15 **HB 1018**.

16 And the roll being called:

17 Yeas 67, Nays 0, Excused 3, Absent 0

18 Yeas:

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

26 Excused:

27 Howard, Olson, and Rehfeldt

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

30 Rep. Milstead moved that the House do concur in Senate amendments to **HB 1064**.

31 The question being on Rep. Milstead's motion that the House do concur in Senate amendments  
32 to **HB 1064**.

33 And the roll being called:

34 Yeas 66, Nays 0, Excused 4, Absent 0

35 Yeas:

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

1 Excused:  
2 Howard, Phil Jensen, Olson, and Rehfeldt

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

5 Rep. Overweg moved that the House do concur in Senate amendments to **HB 1140**.

6 The question being on Rep. Overweg's motion that the House do concur in Senate amendments  
7 to **HB 1140**.

8 And the roll being called:

9 Yeas 59, Nays 8, Excused 3, Absent 0

10 Yeas:  
11 Anderson, Aylward, Barthel, Beal, Blare, Bordeaux, Chaffee, Cwach, Davis, Dennert, Derby,  
12 Deutsch, Drury, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Healy,  
13 Hoffman, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner, Lesmeister,  
14 Marty, May, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Overweg, Perry, Kent Peterson,  
15 Sue Peterson, Pischke, Pourier, Randolph, Reed, Reimer, Schneider, Jamie Smith, Soye, St. John,  
16 Stevens, Thomason, Tidemann, Vasgaard, Weis, Wiese, Wink, and Speaker Gosch

17 Nays:  
18 Bartels, Chase, Duba, Mills, Ernie Otten, Weisgram, Willadsen, and York

19 Excused:  
20 Howard, Olson, and Rehfeldt

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

23 Rep. Phil Jensen moved that the House do concur in Senate amendments to **HB 1139**.

24 The question being on Rep. Phil Jensen's motion that the House do concur in Senate  
25 amendments to **HB 1139**.

26 And the roll being called:

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

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

36 Nays:  
37 Bartels, Duba, Koth, and Willadsen

38 Excused:  
39 Olson and Rehfeldt

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

1 Rep. Tidemann moved that the House do concur in Senate amendments to **HB 1153**.

2 The question being on Rep. Tidemann's motion that the House do concur in Senate  
3 amendments to **HB 1153**.

4 And the roll being called:

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

6 Yeas:

7 Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Derby,  
8 Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Healy, Hoffman,  
9 Jamison, Kevin Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner, Lesmeister, Mills, Milstead,  
10 Miskimins, Mortenson, Odenbach, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson,  
11 Pischke, Pourier, Reed, Reimer, Schneider, Jamie Smith, St. John, Stevens, Thomason, Tidemann,  
12 Vasgaard, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

13 Nays:

14 Aylward, Dennert, Haugaard, Howard, Phil Jensen, Marty, May, Mulally, Randolph, Soye, and  
15 Weis

16 Excused:

17 Olson and Rehfeldt

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

20 Rep. Karr moved that the House do concur in Senate amendments to **HB 1166**.

21 The question being on Rep. Karr's motion that the House do concur in Senate amendments to  
22 **HB 1166**.

23 And the roll being called:

24 Yeas 61, Nays 6, Excused 3, Absent 0

25 Yeas:

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

32 Nays:

33 Aylward, Beal, Haugaard, Marty, May, and Soye

34 Excused:

35 Phil Jensen, Olson, and Rehfeldt

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

1 Rep. Karr moved that the House do concur in Senate amendments to **HB 1169**.

2 The question being on Rep. Karr's motion that the House do concur in Senate amendments to  
3 **HB 1169**.

4 And the roll being called:

5 Yeas 54, Nays 13, Excused 3, Absent 0

6 Yeas:

7 Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Derby,  
8 Deutsch, Drury, Duba, Finck, Goodwin, Lana Greenfield, Gross, Hansen, Healy, Hoffman, Jamison,  
9 Kevin Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner, Lesmeister, Mills, Milstead, Miskimins,  
10 Mortenson, Odenbach, Overweg, Perry, Kent Peterson, Sue Peterson, Pourier, Reed, Reimer,  
11 Schneider, Jamie Smith, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weisgram, Wiese,  
12 Willadsen, Wink, York, and Speaker Gosch

13 Nays:

14 Aylward, Dennert, Fitzgerald, Haugaard, Howard, Marty, May, Mulally, Ernie Otten, Pischke,  
15 Randolph, Soye, and Weis

16 Excused:

17 Phil Jensen, Olson, and Rehfeldt

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

20 Rep. Karr moved that the House do concur in Senate amendments to **HB 1171**.

21 The question being on Rep. Karr's motion that the House do concur in Senate amendments to  
22 **HB 1171**.

23 And the roll being called:

24 Yeas 58, Nays 9, Excused 3, Absent 0

25 Yeas:

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

32 Nays:

33 Aylward, Haugaard, Howard, Marty, May, Mulally, Pischke, Soye, and Weis

34 Excused:

35 Phil Jensen, Olson, and Rehfeldt

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

38 Rep. Odenbach moved that the House do concur in Senate amendments to **HB 1191**.

39 The question being on Rep. Odenbach's motion that the House do concur in Senate  
40 amendments to **HB 1191**.

1 And the roll being called:

2 Yeas 67, Nays 0, Excused 3, 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, Chris Johnson, Karr, Keintz, Koth,  
7 Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Ernie  
8 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed, Reimer,  
9 Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram,  
10 Wiese, Willadsen, Wink, York, and Speaker Gosch

11 Excused:

12 Phil Jensen, Olson, and Rehfeldt

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

15 Rep. Karr moved that the House do concur in Senate amendments to **HB 1256**.

16 The question being on Rep. Karr's motion that the House do concur in Senate amendments to  
17 **HB 1256**.

18 And the roll being called:

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

20 Yeas:

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

27 Nays:

28 Aylward, Chase, Phil Jensen, Koth, Ernie Otten, Overweg, and Tidemann

29 Excused:

30 Olson and Rehfeldt

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

33 Rep. Finck moved that the House do concur in Senate amendments to **HB 1259**.

34 The question being on Rep. Finck's motion that the House do concur in Senate amendments  
35 to **HB 1259**.

36 And the roll being called:

37 Yeas 66, Nays 2, Excused 2, Absent 0

38 Yeas:

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



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

5 Nays:  
6 Phil Jensen and Marty

7 Excused:  
8 Olson and Rehfeldt

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

11 Rep. Karr moved that the House do concur in Senate amendments to **HB 1265**.

12 The question being on Rep. Karr's motion that the House do concur in Senate amendments to  
13 **HB 1265**.

14 And the roll being called:

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

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

24 Nays:  
25 Aylward, Pischke, and Soye

26 Excused:  
27 Olson and Rehfeldt

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

30 Rep. Karr moved that the House do concur in Senate amendments to **HB 1266**.

31 The question being on Rep. Karr's motion that the House do concur in Senate amendments to  
32 **HB 1266**.

33 And the roll being called:

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

35 Yeas:  
36 Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Derby,  
37 Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard,  
38 Healy, Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz, Koth,  
39 Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Ernie  
40 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pourier, Randolph, Reed, Reimer, Schneider,

1 Jamie Smith, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram, Wiese,  
2 Willadsen, Wink, York, and Speaker Gosch

3 Nays:  
4 Aylward, Dennert, Pischke, and Soye

5 Excused:  
6 Olson and Rehfeldt

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

9 Rep. Cwach moved that the House do concur in Senate amendments to **HCR 6012**.

10 The question being on Rep. Cwach's motion that the House do concur in Senate amendments  
11 to **HCR 6012**.

12 And the roll being called:

13 Yeas 66, Nays 2, Excused 2, Absent 0

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

22 Nays:  
23 Mills and Weis

24 Excused:  
25 Olson and Rehfeldt

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

## 28 **CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES**

29 Rep. Perry moved that the report of the Conference Committee on **SB 77** as found on page  
30 499 of the House Journal be adopted.

31 The question being on Rep. Perry's motion that the report of the Conference Committee on  
32 **SB 77** be adopted.

33 And the roll being called:

34 Yeas 58, Nays 10, Excused 2, Absent 0

35 Yeas:  
36 Anderson, Bartels, Barthel, Beal, Blare, Chaffee, Chase, Davis, Dennert, Derby, Deutsch,  
37 Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Hoffman,  
38 Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Koth, Ladner, Marty, May, Mills, Milstead,  
39 Miskimins, Mortenson, Odenbach, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson,

1 Pischke, Randolph, Reed, Reimer, Schneider, Soye, St. John, Stevens, Thomason, Tidemann,  
2 Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

3 Nays:  
4 Aylward, Bordeaux, Cwach, Healy, Howard, Keintz, Lesmeister, Mulally, Pourier, and Jamie  
5 Smith

6 Excused:  
7 Olson and Rehfeldt

8 So the motion having received an affirmative vote of a majority of the members-elect, the  
9 Speaker declared the motion carried and the report was adopted.

10 Rep. Gosch moved that the House do now recess until the Senate adjourns.

11 Which motion prevailed and at 2:14 p.m., the House recessed.

12 **RECESS**

13 The House reconvened at 3:27 p.m., the Speaker presiding.

14 There being no objection, the House reverted to Order of Business No. 5 - Reports of Standing  
15 Committees.

16 **REPORTS OF STANDING COMMITTEES**

17 MR. SPEAKER:

18 The Joint Committee on Legislative Procedure respectfully reports that it has had under  
19 consideration the proposed calendars for the Ninety-seventh Legislative Session and respectfully  
20 recommends the days of the Ninety-seventh Legislative Session be adopted as shown below with  
21 the corresponding Chapter 17 rules changes:

22 **97<sup>th</sup> SOUTH DAKOTA LEGISLATIVE SESSION CALENDAR**  
23 **2022  38 Legislative Days – GOLD version**

24 *Please refer to the Joint Rules, Chapter 17 for complete information.*

25

|              | Sun | Monday                               | Tuesday  | Wednesday                                      | Thursday   | Friday   | Sat |
|--------------|-----|--------------------------------------|--|--|--|--|-----|
|              |     |                                      |  |  |  |  | 1   |
|              | 2   | 3                                    | 4  | 5  | 6  | 7  | 8   |
| January 2022 | 9   | 10                                   | 11<br>Session Opens 12<br>Noon(CST)<br><br>State of the State<br>L.D. 1              | 12<br><br>State of the Judiciary<br><br>L.D. 2 | 13<br><br>State of the Tribes<br><br>L.D. 3            | 14<br><br>L.D. 4   | 15  |
|              | 16  | 17<br><br>Martin Luther King Jr. Day | 18<br><br>Executive orders filed<br>(Constitution,<br>Art. IV, Sec. 8)<br><br>L.D. 5 | 19<br><br>L.D. 6                               | 20<br><br>Jt. Memorial Service<br>3:00pm<br><br>L.D. 7 | 21<br><br>Concurrent/House/Sen<br>ate Resolutions limited<br>introduction deadline<br>(J.R. 6B-3) (TWO<br>HOURS<br>prior to session)<br><br>L.D. 8 | 22  |
|              | 23  | 24                                   | 25   | 26   | 27   | 28   | 29  |

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|----------------------|-----------|-----------|--|---------|---------|---|---------|-----------|
|                      |           |           | Bill and joint resolution draft requests submitted to LRC by 5:00pm (for unlimited introduction)<br>L.D. 9   | L.D. 10 | L.D. 11 | Last day for unlimited bill & joint resolution introduction (J.R. 6B-3) (TWO HOURS prior to session)<br>L.D. 12 |         |           |
| <b>February 2022</b> | <b>30</b> | <b>31</b> | All bill and joint resolution draft requests submitted to LRC by 5:00pm<br>L.D. 13   | L.D. 14 | L.D. 15 | Last day for introduction of individual bills and joint resolutions (TWO HOURS prior to session)<br>L.D. 16     | L.D. 17 | <b>5</b>  |
|                      | <b>6</b>  | <b>7</b>  |  | L.D. 18 | L.D. 19 | L.D. 20   | L.D. 21 | <b>12</b> |
|                      | <b>13</b> | <b>14</b> |  | L.D. 22 | L.D. 23 | L.D. 24   | L.D. 25 | <b>19</b> |
|                      | <b>20</b> | <b>21</b> | <i>Presidents' Day</i>   | L.D. 26 | L.D. 27 | L.D. 28   | L.D. 29 | <b>26</b> |
|                      | <b>27</b> | <b>28</b> | Last day for house of origin to pass special appropriation bills referred from JCA (JR 17-1), AND Commemoration requests due to LRC by 5:00pm<br>L.D. 30 | L.D. 31 | L.D. 32 | L.D. 33   |         | <b>5</b>  |
| <b>March 2022</b>    | <b>6</b>  | <b>7</b>  | Last day for a bill or joint resolution to pass both houses<br>L.D. 34   | L.D. 35 | L.D. 36 | L.D. 37   |         | <b>12</b> |
|                      | <b>13</b> | <b>14</b> |  |         |         |   |         | <b>19</b> |
|                      | <b>20</b> | <b>21</b> |  |         |         |   |         | <b>26</b> |
|                      | <b>27</b> | <b>28</b> | Reserved for consideration of gubernatorial vetoes<br>L.D. 38  |         |         |   |         | <b>2</b>  |

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| <b>Legislative Deadlines</b>  |                                       |
|---|---------------------------------------|
| <b>Legislative Action</b>   | <b>40 Day Session</b>                 |
| A. Last day for unlimited introduction of individual bills and joint resolutions <sup>1</sup> | 12 <sup>th</sup> Day                  |
| B. Last day for introduction of individual bills and joint resolutions <sup>1</sup>           | 15 <sup>th</sup> Day                  |
| C. Last day for introduction of committee bills and joint resolutions <sup>1</sup>            | 16 <sup>th</sup> Day                  |
| D. Last day upon which Joint Rule 5-17 can be invoked on a bill or resolution in either house | 27 <sup>th</sup> 26 <sup>th</sup> Day |

|   |   |                                       |
|---|---|---------------------------------------|
| 1 | E. Last day to move required delivery of bills or joint resolutions by a committee to the house of origin   | 28 <sup>th</sup> 27 <sup>th</sup> Day |
| 2 | F. Last day to pass bills or joint resolutions by the house of origin and to introduce House, Senate, or concurrent resolutions                                       | 29 <sup>th</sup> 28 <sup>th</sup> Day |
| 3 | G. Last day for introduction of commemorations  | 33 <sup>rd</sup> Day                  |
| 4 | H. During the seven final legislative days motions to reconsider and reconsideration being made upon the same day (any time before adjournment)                       | 34 <sup>th</sup> Day on               |
| 5 | I. Last day to move required delivery of bills or joint resolutions by a committee to the second house  | 35 <sup>th</sup> Day                  |
| 6 | J. Last day for a bill or joint resolution to pass both houses  | 36 <sup>th</sup> Day                  |
| 7 | K. The last day of a legislative session is reserved for the consideration of vetoes  | 40 <sup>th</sup> Day                  |
| 8 | <sup>1</sup> Bills and joint resolutions must be submitted to the Legislative Research Council at least 48 hours prior to this deadline, pursuant to Joint Rule 6A-5. |                                       |
| 9 |   |                                       |

10 **17-1. Exceptions to deadlines for appropriation bills.** Any general appropriation bill, any bill that amends a prior year's  
 11 general appropriations bill, or any bill that adjusts school district property tax levies pursuant to an appropriations bill is not  
 12 subject to the legislative deadlines of C, E, F, I, and J, in this chapter, except that the general appropriation bill requested by  
 13 the Governor shall be subject to legislative deadline C.

14  
 15 Any appropriation bill that is not a general appropriation bill, which is referred to or reported to the floor by the Joint  
 16 Committee on Appropriations, is subject to the following legislative deadlines, in lieu of the legislative deadlines of E and F,  
 17 in this chapter:

- 18  
 19 (1) Last day to move required delivery of bills by a committee to the house of origin: ~~31<sup>st</sup>~~ 30<sup>th</sup> Day;  
 20  
 21 (2) Last day to pass bills by the house of origin: ~~32<sup>nd</sup>~~ 31<sup>st</sup> Day.

22  
 23 Respectfully submitted,  
 Spencer R. Gosch, Chair

24 **MESSAGES FROM THE SENATE**

25 Mr. SPEAKER:

26 I have the honor to inform your honorable body that the Senate has failed to concur in House  
 27 amendments to **SB 180** and has appointed Senators Zikmund (Chair), Stalzer, and Nesiba as a  
 28 committee of three on the part of the Senate to meet with a like committee on the part of the House  
 29 to adjust the differences between the two houses.

30  
 31 Respectfully,  
 Kay Johnson, Secretary

32 The Speaker appointed Representatives Randolph (Chair), Goodwin, and Pourier as a  
 33 committee of three on the part of the House to meet with a like committee on the part of the Senate  
 34 to adjust the differences between the two houses on **SB 180**.

35 **SIGNING OF BILLS**

36 The Speaker publicly read the title to

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

- 1       **HB 1047:** FOR AN ACT ENTITLED, An Act to provide limited deer and antelope licenses to  
2 landowners.
- 3       **HB 1080:** FOR AN ACT ENTITLED, An Act to increase the enhanced penalty for the crime of  
4 simple assault.
- 5       **HB 1081:** FOR AN ACT ENTITLED, An Act to increase the penalty for protection order  
6 violations.
- 7       **HB 1094:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the municipal  
8 zoning and appeals process.
- 9       **HB 1096:** FOR AN ACT ENTITLED, An Act to provide a penalty for sexual contact with a minor  
10 by a person holding a position of authority.
- 11       **HB 1131:** FOR AN ACT ENTITLED, An Act to authorize primary care agreements.
- 12       **HB 1154:** FOR AN ACT ENTITLED, An Act to prohibit employment contracts restricting  
13 competitive health care practices.
- 14       **HB 1155:** FOR AN ACT ENTITLED, An Act to remove certain restrictions on gifts of agricultural  
15 land.
- 16       **HB 1199:** FOR AN ACT ENTITLED, An Act to establish the Office of Liaison for Missing and  
17 Murdered Indigenous Persons.
- 18       **HB 1210:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Board of Regents  
19 to provide grant funding for a new bioproducts facility at the research park in Brookings, and to  
20 declare an emergency.
- 21       **HB 1212:** FOR AN ACT ENTITLED, An Act to clarify the use of force.
- 22       **HB 1217:** FOR AN ACT ENTITLED, An Act to promote continued fairness in women's sports.
- 23       **HB 1228:** FOR AN ACT ENTITLED, An Act to revise provisions regarding industrial hemp and  
24 to declare an emergency.
- 25       **HB 1264:** FOR AN ACT ENTITLED, An Act to make appropriations from the water and  
26 environment fund and its revolving fund subfunds for various water and environmental purposes  
27 and to declare an emergency.
- 28       **HB 1273:** FOR AN ACT ENTITLED, An Act to transfer funds to the health care trust fund and  
29 to declare an emergency.
- 30       **SB 44:** FOR AN ACT ENTITLED, An Act to authorize, regulate, and tax wagering on sporting  
31 events within the city limits of Deadwood and provide a penalty for a violation thereof.
- 32       **SB 70:** FOR AN ACT ENTITLED, An Act to revise and reorganize certain provisions regarding  
33 the assessment of property for the purposes of taxation.
- 34       **SB 75:** FOR AN ACT ENTITLED, An Act to correct an error in a statutory cross-reference within  
35 the Uniform Limited Liability Company Act.
- 36       **SB 79:** FOR AN ACT ENTITLED, An Act to make certain uses of laser pointers unlawful.
- 37       **SB 85:** FOR AN ACT ENTITLED, An Act to modify the composition of the Retirement Laws  
38 Committee.
- 39       **SB 97:** FOR AN ACT ENTITLED, An Act to modify provisions regarding the State-Tribal  
40 Relations Committee.

1       **SB 100:** FOR AN ACT ENTITLED, An Act to continue the prohibition on the seizure of firearms  
2 and ammunitions.

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

4       **SB 109:** FOR AN ACT ENTITLED, An Act to authorize certain interstate shipments of distilled  
5 spirits, to provide for the collection of taxes, and to establish certain penalties.

6       **SB 111:** FOR AN ACT ENTITLED, An Act to reduce the fee for permits to carry concealed pistols.

7       **SB 112:** FOR AN ACT ENTITLED, An Act to establish requirements for filling the vacancies of  
8 certain constitutional offices.

9       **SB 123:** FOR AN ACT ENTITLED, An Act to require a comment period for the attorney general's  
10 statement regarding initiated measures and initiated amendments.

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

13       **SB 138:** FOR AN ACT ENTITLED, An Act to provide flexibility for certain municipal budget  
14 provisions.

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

16       **SB 142:** FOR AN ACT ENTITLED, An Act to modify the meeting place and notice requirements  
17 for county commission meetings.

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

20       **SB 150:** FOR AN ACT ENTITLED, An Act to clarify the penalty for using fireworks in violation  
21 of a county resolution, and to declare an emergency.

22       **SB 152:** FOR AN ACT ENTITLED, An Act to authorize counties to issue off-sale liquor licenses.

23       **SB 161:** FOR AN ACT ENTITLED, An Act to revise the qualifications to serve as a trustee of a  
24 county road district.

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

26       **SB 168:** FOR AN ACT ENTITLED, An Act to revise the population requirement for appointment  
27 of coroners.

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

30       **SB 174:** FOR AN ACT ENTITLED, An Act to revise provisions related to the automatic removal  
31 of certain charges or convictions from a defendant's public record.

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

34       **SB 178:** FOR AN ACT ENTITLED, An Act to prohibit certain insurers from using genetic  
35 information.

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

