

# *JOURNAL OF THE HOUSE*

## *NINETY-SEVENTH SESSION*

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FIRST DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Tuesday, January 11, 2022

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

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

O Lord God, you give great and abundant gifts to your people. In your wisdom, you have given us the blessing of government so that your people might live in peace and safety. You have called these men and women to serve on behalf of your people. Give them knowledge and discernment, that they may perform their duties according to the abilities that you have given them. Grant them strength and endurance to work for the sake of your people. In Jesus' name I pray, Amen.

The Pledge of Allegiance was led by intern Griffin Westra.

1 I, STEVEN J. BARNETT, Secretary of State of the state of South Dakota, do hereby certify  
2 that the elected members of the House of Representatives at the general election held on November  
3 3, 2020 were certified on November 10, 2020, or November 23, 2020. I do hereby certify that these are  
4 the members of the South Dakota House of Representatives for the 2022 Legislative Session.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

9 Excused: Lesmeister, Pourier, and Wink

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

12 The oath of office was administered to Ms. Miller by the Honorable Scott Myren, Justice of the  
13 Supreme Court of the state of South Dakota.

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

15 Speaker Gosch announced the appointment of the following employees of the House of  
16 Representatives for the Ninety-seventh Legislative Session:

17 Assistant to the Chief Clerk – Mary Beth Favel

18 Assistant to the Chief Clerk – Judy Page

19 Assistant to the Chief Clerk – Shirleen Fugitt

20 Chief Chaplain – Craig Wexler

21 Sergeant at Arms – James Smith

22 Assistant Sergeant at Arms – Rollie Borth

23 Secretary to the Minority Party – Kaitlynn Kelly

24 Appropriations Secretary – Leonard Chick

25 Committee Secretaries – Jean Denton, Deb Dufour, Pam Kean, Mary Kirk, Ty Paulsen

26 Pages (1st Term) – Poppy Flaskey, Fiala Herceg, Shiara Noyes, Griffin Petersen,  
27 Kathryn Rausch, Annabell Stuwe, Sierra Stuwe, Ashlyne Utter, Maxwell Zickrick

28 Pages (2nd Term) – Shelby Bestgen, Sarah Cox, Joseph Gebel, Kimberly Hageman,  
29 Jailey Hutson, Harlie Johnson, William Kuhl IV, Evan Onken, Shane Rist,  
30 Lawson Santema, Colton Schamber, Patience Swift

31 Pages (3rd Term) – Keely Bordeaux, Quinn Bormann, Grace DiGiovanni, Collin Dingsor,  
32 Elaina Haugaard, Harlee Heim, Rupert Leaverton, Isabelle Mairose, Julia Platt,  
33 Olivia Rink, Kinsey Schuchhardt, Jacob Weinheimer

34 Pages (4th Term) – Mollie Brown, William Cutler, Morgan Damman, Alexander Deak,  
35 Aida Desaulniers, Dawson Desaulniers, Grace Glover, Erica Ingerson, Claire Koenecke,  
36 Alexander Otten, William Peterson II, Britta Pietila, Rylee Rinehart, Addyson Wittnebel

1 Pages (5th Term) – Madyson Fleckenstein, Kylie Lacey, Caleb McGregor, Megan Nash,  
2 Peyton Roe, Megan Sanders, Andrew Schroeder

3 Legislative Interns – Caeden Bunde, Ryan Conover, Benjamin Fischbach, Kira Goldade,  
4 Julianne Graham, Shelby Guthrie, Adelia Kirchner, Max Mickelson, Grace Nelson,  
5 Trent Shuey, Griffen Westra, Avery Wolff

6 The oath of office was administered by the Honorable Scott Myren, Justice of the Supreme  
7 Court of the state of South Dakota, to the following named employees:

8 Assistant to the Chief Clerk – Mary Beth Fravel

9 Assistant to the Chief Clerk – Judy Page

10 Assistant to the Chief Clerk – Shirleen Fugitt

11 Chief Chaplain – Craig Wexler

12 Sergeant at Arms – James Smith

13 Assistant Sergeant at Arms – Rollie Borth

14 Secretary to the Minority Party – Kaitlynn Kelly

15 Appropriations Secretary – Leonard Chick

16 Committee Secretaries – Jean Denton, Deb Dufour, Pam Kean, Mary Kirk, Ty Paulsen

17 Legislative Interns – Caeden Bunde, Ryan Conover, Benjamin Fischbach, Kira Goldade,  
18 Julianne Graham, Shelby Guthrie, Max Mickelson, Grace Nelson, Trent Shuey, Griffen  
19 Westra, Avery Wolff

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

21 **MOTIONS AND RESOLUTIONS**

22 Rep. Kent Peterson moved that the permanent joint rules of the Ninety-sixth Legislative Session  
23 with the recommended changes to those joint rules for the Ninety-seventh Legislative Session as  
24 adopted in March, 2021, be adopted as the temporary joint rules for the Ninety-seventh Legislative  
25 Session.

26 The question being on Rep. Kent Peterson's motion that the permanent joint rules of the Ninety-  
27 sixth Legislative Session with the recommended changes to those joint rules for the Ninety-seventh  
28 Legislative Session as adopted in March, 2021, be adopted as the temporary joint rules for the  
29 Ninety-seventh Legislative Session.

30 And the roll being called:

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

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

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

3 Nays: Pischke

4 Excused: Pourier and Wink

5 So the motion having received an affirmative vote of a majority of the members-elect, the  
6 Speaker declared the motion prevailed.

7 Rep. Kent Peterson moved that the permanent rules of the House of Representatives for the  
8 Ninety-sixth Legislative Session be adopted as the temporary House rules for the Ninety-seventh  
9 Legislative Session.

10 The question being on Rep. Kent Peterson's motion that the permanent rules of the House of  
11 Representatives for the Ninety-sixth Legislative Session be adopted as the temporary House rules  
12 for the Ninety-seventh Legislative Session.

13 And the roll being called:

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

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

22 Excused: Pourier and Wink

23 So the motion having received an affirmative vote of a majority of the members-elect, the  
24 Speaker declared the motion prevailed.

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

28 Which motion prevailed and the Speaker appointed as such committee Reps. Stevens,  
29 Schneider, Olson, and Bordeaux.

30 Rep. Kent Peterson moved that when we adjourn today, we adjourn to convene at 1:00 p.m.  
31 on January 12, 2022, the 2<sup>nd</sup> legislative day.

32 Which motion prevailed.

33 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

34 **HB 1001:** FOR AN ACT ENTITLED, An Act to revise the freeze on assessments for dwellings of  
35 disabled and senior citizens.

36 Introduced by: **Representative** Weisgram

1 **HB 1002:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
2 investments authorized for state public funds.

3 Introduced by: The Committee on State Affairs at the request of the State Investment Council

4 **HB 1003:** FOR AN ACT ENTITLED, An Act to update references to certain federal motor carrier  
5 regulations.

6 Introduced by: The Committee on Transportation at the request of the Department of Public  
7 Safety

8 **HB 1004:** FOR AN ACT ENTITLED, An Act to prohibit cardholder cultivation of medical  
9 cannabis.

10 Introduced by: **Representative** Deutsch

11 **HB 1005:** FOR AN ACT ENTITLED, An Act to provide for the designated use of public school  
12 multi-occupancy rooms and sleeping rooms.

13 Introduced by: **Representative** Deutsch

14 **HB 1006:** FOR AN ACT ENTITLED, An Act to promote continued fairness in women's sports.

15 Introduced by: **Representative** Milstead

16 **HB 1007:** FOR AN ACT ENTITLED, An Act to codify a joint committee for legislative  
17 redistricting.

18 Introduced by: **Representative** Deutsch

19 **HB 1008:** FOR AN ACT ENTITLED, An Act to provide a cause of action for certain employees  
20 that are required to receive a vaccination as a condition of employment and to declare an  
21 emergency.

22 Introduced by: **Representative** Deutsch

23 **HB 1009:** FOR AN ACT ENTITLED, An Act to revise certain provisions of the Higher Education  
24 Savings Plan Act.

25 Introduced by: The Committee on State Affairs at the request of the State Investment Council

26 **HB 1010:** FOR AN ACT ENTITLED, An Act to revise certain references to the Internal Revenue  
27 Code.

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

29 **HB 1011:** FOR AN ACT ENTITLED, An Act to revise the application process for the reduction  
30 of tax on dwellings owned by paraplegics.

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

32 **HB 1012:** FOR AN ACT ENTITLED, An Act to protect students from critical race theory.

33 Introduced by: The Committee on Education at the request of the Office of the Governor

34 **HB 1013:** FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs related  
35 to Capitol Lake and to declare an emergency.

36 Introduced by: The Committee on Appropriations at the request of the Bureau of Administration



1 **HB 1014:** FOR AN ACT ENTITLED, An Act to make an appropriation to fund tax refunds for  
2 elderly persons and persons with a disability and to declare an emergency.

3 Introduced by: The Committee on Appropriations at the request of the Department of Revenue

4 **HB 1015:** FOR AN ACT ENTITLED, An Act to require a moment of silence in schools to begin  
5 the school day.

6 Introduced by: The Committee on Education at the request of the Office of the Governor

7 **HB 1016:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to  
8 disasters in the state and to declare an emergency.

9 Introduced by: The Committee on Appropriations at the request of the Department of Public  
10 Safety

11 **HB 1017:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to  
12 suppression of wildfires in the state and to declare an emergency.

13 Introduced by: The Committee on Appropriations at the request of the Department of Public  
14 Safety

15 **HB 1018:** FOR AN ACT ENTITLED, An Act to make an appropriation for the construction of a  
16 storage garage in Rapid City and to declare an emergency.

17 Introduced by: The Committee on Appropriations at the request of the Department of Public  
18 Safety

19 **HB 1019:** FOR AN ACT ENTITLED, An Act to make an appropriation for the payment of  
20 extraordinary litigation expenses and to declare an emergency.

21 Introduced by: The Committee on Appropriations at the request of the Bureau of Administration

22 **HB 1020:** FOR AN ACT ENTITLED, An Act to authorize the Bureau of Administration to  
23 construct an addition to the Kinsman Building in Pierre, to make an appropriation therefor, and to  
24 declare an emergency.

25 Introduced by: The Committee on Appropriations at the request of the Bureau of Administration

26 **HB 1021:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to acquire  
27 property, contract for the design and construction of an athletics events center at Dakota State  
28 University, to make an appropriation therefor, and to declare an emergency.

29 Introduced by: The Committee on Appropriations at the request of the Board of Regents

30 **HB 1022:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the  
31 design and renovation of, and construction of an addition to, the Stanley J. Marshall Center at South  
32 Dakota State University, to make an appropriation therefor, and to declare an emergency.

33 Introduced by: The Committee on Appropriations at the request of the Board of Regents

34 **HB 1023:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to demolish a  
35 South Dakota State University building and to make an appropriation therefor.

36 Introduced by: The Committee on Appropriations at the request of the Board of Regents

- 1        **HB 1024:** FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions regarding  
2 self-support tuition rates at off-campus locations governed by the Board of Regents.
- 3        Introduced by: The Committee on Appropriations at the request of the Board of Regents
- 4        **HB 1025:** FOR AN ACT ENTITLED, An Act to update legal holidays in South Dakota.
- 5        Introduced by: The Committee on State Affairs at the request of the Bureau of Human  
6 Resources
- 7        **HB 1026:** FOR AN ACT ENTITLED, An Act to prohibit eligibility for a suspended imposition of  
8 sentence for the crime of rape.
- 9        Introduced by: **Representative** Fitzgerald
- 10       **HB 1027:** FOR AN ACT ENTITLED, An Act to place certain substances on the controlled  
11 substances schedule and to declare an emergency.
- 12       Introduced by: The Committee on Health and Human Services at the request of the Department  
13 of Health
- 14       **HB 1028:** FOR AN ACT ENTITLED, An Act to update certain provisions related to the licensure  
15 of optometrists.
- 16       Introduced by: The Committee on Health and Human Services at the request of the State Board  
17 of Examiners in Optometry
- 18       **HB 1029:** FOR AN ACT ENTITLED, An Act to revise the definition of telehealth for purposes of  
19 health insurance policies.
- 20       Introduced by: The Committee on Commerce and Energy at the request of the Department of  
21 Labor and Regulation
- 22       **HB 1030:** FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse certain health  
23 care professionals who have complied with the requirements for certain health care recruitment  
24 assistance programs and to declare an emergency.
- 25       Introduced by: The Committee on Appropriations at the request of the Department of Health
- 26       **HB 1031:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Board of Technical  
27 Education to construct an advanced manufacturing laboratory space and classrooms on the campus  
28 of Lake Area Technical College and to declare an emergency.
- 29       Introduced by: The Committee on Appropriations at the request of the Board of Technical  
30 Education
- 31       **HB 1032:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Board of Technical  
32 Education to construct an agriculture and diesel power laboratory and multi-purpose space on the  
33 campus of Mitchell Technical College and to declare an emergency.
- 34       Introduced by: The Committee on Appropriations at the request of the Board of Technical  
35 Education
- 36       **HB 1033:** FOR AN ACT ENTITLED, An Act to expand the eligible projects for the local  
37 infrastructure improvement grant fund.
- 38       Introduced by: The Committee on State Affairs at the request of the Governor's Office of  
39 Economic Development

1 **HB 1034:** FOR AN ACT ENTITLED, An Act to make an appropriation from the coordinated  
2 natural resources conservation fund to the State Conservation Commission and to declare an  
3 emergency.

4 Introduced by: The Committee on Appropriations at the request of the Department of  
5 Agriculture and Natural Resources

6 **HB 1035:** FOR AN ACT ENTITLED, An Act to to allow the Department of Agriculture and Natural  
7 Resources to collect receipts from timber sales on federal lands and disburse those receipts  
8 according to federal law.

9 Introduced by: The Committee on Agriculture and Natural Resources at the request of the  
10 Department of Agriculture and Natural Resources

11 **HB 1036:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding search  
12 warrants for tracking devices.

13 Introduced by: The Committee on Judiciary at the request of the Attorney General

14 **HB 1037:** FOR AN ACT ENTITLED, An Act to revise the penalty for certain willful violations by  
15 grain buyers and grain warehouse operators.

16 Introduced by: The Committee on Judiciary at the request of the Attorney General

17 **HB 1038:** FOR AN ACT ENTITLED, An Act to establish an opioid trust fund and to declare an  
18 emergency.

19 Introduced by: The Committee on Judiciary at the request of the Attorney General

20 **HB 1039:** FOR AN ACT ENTITLED, An Act to provide for the assessment of certain agricultural  
21 land as noncropland.

22 Introduced by: **Representative** Ladner

23 **HB 1040:** FOR AN ACT ENTITLED, An Act to reduce the maximum property tax levies for the  
24 general fund of school districts.

25 Introduced by: **Representative** Ernie Otten

26 **HB 1041:** FOR AN ACT ENTITLED, An Act to facilitate legislative oversight of settlement  
27 agreements involving a state entity or official.

28 Introduced by: **Representative** Ernie Otten

29 **HB 1042:** FOR AN ACT ENTITLED, An Act to provide for permanent daylight savings time when  
30 permissible under federal law.

31 Introduced by: **Representative** Ernie Otten

32 **HB 1043:** FOR AN ACT ENTITLED, An Act to revise renewal and licensing requirements for  
33 plumbers.

34 Introduced by: **Representative** Mortenson

35 **HB 1044:** FOR AN ACT ENTITLED, An Act to adopt the 2021 edition of the Uniform Plumbing  
36 Code.

37 Introduced by: **Representative** Mortenson

1 **HB 1045:** FOR AN ACT ENTITLED, An Act to increase a tax on the gross receipts of all sales of  
2 marijuana, and to distribute a portion of that revenue to counties.

3 Introduced by: **Representative** Ernie Otten

4 **HB 1046:** FOR AN ACT ENTITLED, An Act to revise the disposal fee for large-scale solid waste  
5 disposal facilities operated by political subdivisions.

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

8 **HB 1047:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of  
9 Education to improve and renovate the Cultural Heritage Center and to declare an emergency.

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

11 **HB 1048:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of  
12 Game, Fish and Parks for expanding Custer State Park and to declare an emergency.

13 Introduced by: The Committee on Appropriations at the request of the Department of Game,  
14 Fish and Parks

15 **HB 1049:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of  
16 Game, Fish and Parks for building a shooting range near Rapid City and to declare an emergency.

17 Introduced by: The Committee on Appropriations at the request of the Department of Game,  
18 Fish and Parks

19 **HB 1050:** FOR AN ACT ENTITLED, An Act to repeal obsolete lease requirements for the Black  
20 Hills Playhouse.

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

23 **HB 1051:** FOR AN ACT ENTITLED, An Act to amend certain provisions relating to the small  
24 business credit initiative fund.

25 Introduced by: The Committee on State Affairs at the request of the Governor's Office of  
26 Economic Development

27 **HB 1052:** FOR AN ACT ENTITLED, An Act to place limitations on the enforcement of federal  
28 laws and directive related to firearms and ammunition.

29 Introduced by: **Representative** Aylward

30 **HB 1053:** FOR AN ACT ENTITLED, An Act to authorize counties to issue bonds for certain  
31 expenditures funded by a gross receipts tax.

32 Introduced by: **Representative** Ernie Otten

33 **HB 1054:** FOR AN ACT ENTITLED, An Act to prohibit the isomerization and acetylation of  
34 cannabinoids and the sale and possession of products created by the isomerization and acetylation  
35 of cannabinoids and to provide a penalty therefor.

36 Introduced by: **Representative** Deutsch

1 **HB 1055:** FOR AN ACT ENTITLED, An Act to require informational transparency regarding the  
2 issuance of executive orders.

3 Introduced by: **Representative** Ernie Otten

4 **HB 1056:** FOR AN ACT ENTITLED, An Act to revise provisions related to medical cannabis data  
5 maintained by the Department of Health.

6 Introduced by: **Representative** Deutsch

7 **HB 1057:** FOR AN ACT ENTITLED, An Act to prohibit the unauthorized transfer of cannabis  
8 and cannabis products by a medical cannabis cardholder to another person.

9 Introduced by: **Representative** Deutsch

10 **HB 1058:** FOR AN ACT ENTITLED, An Act to revise the available forms of medical cannabis  
11 products.

12 Introduced by: **Representative** Deutsch

13 **HB 1059:** FOR AN ACT ENTITLED, An Act to permit nonresponsive insurance producer  
14 applications be deemed withdrawn as to not constitute a refusal or administrative action.

15 Introduced by: **Representative** Weisgram

16 **HJR 5001:** A JOINT RESOLUTION, To apply for a convention of states under Article V of the  
17 Constitution of the United States, to impose fiscal restraints on the federal government, to limit the  
18 power and jurisdiction of the federal government, and to limit the terms of office for federal officials  
19 and members of Congress.

20 Introduced by: **Representative** Pischke

21 Were read the first time.

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

## 24 **COMMUNICATIONS AND PETITIONS**

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

27 **\*\* Denotes Chair** **\* Denotes Vice-Chair**

## 28 **AGRICULTURE & NATURAL RESOURCES (13)**

29 **\*\*Overweg, \*Hoffman,** Blare, Chase, Finck, Goodwin, Ladner, Marty, Schneider, Vasgaard,  
30 Wink, York, Lesmeister

## 31 **APPROPRIATIONS (9)**

32 **\*\*Karr, \*Howard,** Fitzgerald, Gross, Haugaard, May, Mills, Mulally, Duba

1

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**COMMERCE & ENERGY (13)**

2

**\*\*Milstead, \*Beal,** Anderson, Bartels, Ladner, Perry, Reed, Schneider, Vasgaard, Weis,  
3 Weisgram, Willadsen, Bordeaux

4

**EDUCATION (15)**

5

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

7

**GOVERNMENT OPERATIONS & AUDIT (5)**

8

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

9

**HEALTH & HUMAN SERVICES (13)**

10

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

12

**JUDICIARY (13)**

13

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

15

**LEGISLATIVE PROCEDURE (7)**

16

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

17

**LOCAL GOVERNMENT (13)**

18

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

20

**MILITARY AND VETERANS AFFAIRS (13)**

21

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

23

**RETIREMENT LAWS (5)**

24

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

25

**STATE AFFAIRS (13)**

26

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

28

**TAXATION (13)**

29

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

31

**TRANSPORTATION (13)**

32

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

1 Mr. SPEAKER:

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

6 Also, Mr. SPEAKER:

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

10 That the Senate and the House will convene in Joint Session in the Chamber of the House of  
11 Representatives at 1:00 p.m., January 11, 2022.

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

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

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

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

18 Also, Mr. SPEAKER:

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

22 That the Senate and the House convene in Joint Session in the Chamber of the House of  
23 Representatives at 1:30 p.m., January 12, 2022.

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

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

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

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

30 Also, Mr. SPEAKER:

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

34 That the Senate and the House convene in Joint Session in the Chamber of the House of  
35 Representatives at 1:30 p.m., January 13, 2022.

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

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

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

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

4 Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 12:29 p.m.  
5 the House adjourned.

6 Patricia Miller, Chief Clerk

7 **JOINT SESSION**

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

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

13 We begin with a reading from Romans chapter 13: "Let everyone be subject to the governing  
14 authorities, for there is no authority except that which God has established. The authorities that  
15 exist have been established by God. Consequently, whoever rebels against the authority is rebelling  
16 against what God has instituted, and those who do so will bring judgment on themselves. For rulers  
17 hold no terror for those who do right, but for those who do wrong. Do you want to be free from fear  
18 of the one in authority? Then do what is right and you will be commended. For the one in authority  
19 is God's servant for your good."

20 Gracious God, Your sovereignty is powerful and right. Your sovereignty has allowed all of us  
21 to be called and elected into this space and time. Remind all who hear, that Your will outweighs that  
22 of any individual person or movement. We live in a time and space in which our country has become  
23 more polarized than it has in decades. But where there is polarization, we pray for unity. Where  
24 there is worship of the self—or worship of conflicting identities—remind us that our identity is in  
25 YOU, and YOU ALONE. We are all created in your image and it is our brokenness and individualization  
26 that continues to drive us apart.

27 But not today...Today, Almighty God, as we stand here together in this room—man and  
28 woman—young and old—Republican and Democrat---but most importantly, Christian-God-fearing,  
29 and South Dakotan.....I pray for all of the authority that your sovereign rule has been allowed into  
30 power. We pray for Governor Noem and her continued leadership—bless her words—bless her  
31 work—bless her support staff—bless her family. We pray for our Senators and Representatives, their  
32 families and the constituents they serve. We pray for our judges of the court who continue to discern  
33 and interpret justice on the laws that are created in these halls. Give them grace and wisdom. We  
34 pray for every staff member in this building who keeps the work in these coming weeks, moving  
35 forward. And finally...We pray for all other leaders in government across this nation, outside the  
36 borders of this great state. Give them wisdom, humility, and insight into the true needs of this  
37 country—not the personal agendas that continue to drive us apart, but the ideals of what created  
38 this country in the first place 246 years ago—faith, peace, liberty, and the pursuit of happiness.  
39 Come Lord Jesus, Come. It is in your name we pray, thanks be to God. Amen.

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

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



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

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

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

13 Which motion prevailed and the President announced as such committee Sens. Schoenbeck,  
14 Cammack, and Heinert on the part of the Senate and Reps. Hansen, Kent Peterson, Chris Johnson,  
15 Smith, and Lesmeister on the part of the House.

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

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

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

21 Which motion prevailed.

