

JOURNAL OF THE HOUSE

NINETY-SEVENTH SESSION

SIXTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, January 19, 2022

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

The prayer was offered by the Chaplain, Deacon Kris Wollman, followed by the Pledge of Allegiance led by House page Sierra Stuwe.

Roll Call: All members present except Rep. Milstead who was excused and Reps. Bordeaux, Healy, and Olson who were present remotely.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the 5th day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Spencer R. Gosch, Chair

Which motion prevailed.

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REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1007** and returns the same with the recommendation that said bill be amended as follows:

1007B

On page 1, line 12, of the Introduced bill, after "first." delete " The house with a majority of members shall alternate with each ten-year redistricting cycle beginning in 2031, with the house in the minority of the 2011 Legislative Redistricting Committee being in the majority in 2031."

And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1002 and 1009** and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
Kent Peterson, Chair

MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration **HB 1040** which was tabled.

Also MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration **HB 1047** and returns the same with the recommendation that said bill be referred to the House Committee on Appropriations with a Do Pass recommendation.

Respectfully submitted,
Lana Greenfield, Chair

MR. SPEAKER:

The Committee on House Commerce and Energy respectfully reports that it has had under consideration **HB 1029 and 1042** which were deferred to the 41st Legislative Day.

Also MR. SPEAKER:

The Committee on House Commerce and Energy respectfully reports that it has had under consideration **HB 1043, 1059, and 1062** and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on House Commerce and Energy respectfully reports that it has had under consideration **HB 1044** and returns the same with the recommendation that said bill do pass.

Respectfully submitted,
Rhonda Milstead, Chair

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MESSAGES FROM THE SENATE

2 MR. SPEAKER:

3 I have the honor to inform your honorable body that the Senate has adopted the report of the
4 Joint Committee on Legislative Procedure relative to the permanent joint rules for the Ninety-
5 seventh Legislative Session.

6 Also Mr. SPEAKER:

7 I have the honor to transmit herewith **SB 29, 35, 37, and 39** which have passed the Senate
8 and your favorable consideration is respectfully requested.

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Respectfully,
Kay Johnson, Secretary

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MOTIONS AND RESOLUTIONS

12 Rep. Kent Peterson moved that **HB 1030** be referred to the House Committee on
13 Appropriations.

14 Which motion prevailed.

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FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

16 **HB 1080:** FOR AN ACT ENTITLED, An Act to prolong requirements for increasing teacher
17 compensation.

18 Introduced by: **Representative** Bartels

19 Was read the first time and referred to the Committee on Education.

20 **HB 1079:** FOR AN ACT ENTITLED, An Act to revise provisions regarding court transcript costs.21 Introduced by: **Representative** Stevens

22 Was read the first time and referred to the Committee on Judiciary.

23 **HB 1084:** FOR AN ACT ENTITLED, An Act to provide for the regulation of motorized foot
24 scooters.

25 Introduced by: **Representative** Ernie Otten

26 Was read the first time and referred to the Committee on Local Government.

1 **HB 1083:** FOR AN ACT ENTITLED, An Act to provide a partial property tax exemption for the
 2 surviving spouses of certain veterans.

3 Introduced by: **Representative** Goodwin

4 Was read the first time and referred to the Committee on Military and Veterans Affairs.

5 **HB 1081:** FOR AN ACT ENTITLED, An Act to add solar energy tax revenue to the calculation
 6 of local effort for state aid to school districts.

7 Introduced by: **Representative** Goodwin

8 **HB 1082:** FOR AN ACT ENTITLED, An Act to revise the motor vehicle excise tax on vehicles
 9 leased for more than twenty-eight days to include certain off-road vehicles.

10 Introduced by: **Representative** Goodwin

11 Was read the first time and referred to the Committee on Taxation.

12 **HB 1078:** FOR AN ACT ENTITLED, An Act to authorize the use of electric all-terrain and off-
 13 road vehicles on public highways.

14 Introduced by: **Representative** Kent Peterson

15 Was read the first time and referred to the Committee on Transportation.

16 The following bills were read on January 11, 2022, and today the Speaker assigned these bills
 17 to committees:

18 **HB 1032 and 1034** were referred to the Committee on Agriculture and Natural Resources.

19 **HB 1020 and 1023** were referred to the House Committee on Appropriations.

20 **HB 1021, 1022, 1024, and 1031** were referred to the Committee on Education.

21 **HB 1018** was referred to the Committee on Local Government.

22 The following bills were read on January 18, 2022, and today the Speaker assigned these bills
 23 to committees:

24 **HB 1077** was referred to the Committee on Local Government.

25 **HB 1073** was referred to the Committee on State Affairs.

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

27 **SB 35:** FOR AN ACT ENTITLED, An Act to increase penalties for actions related to grain
 28 transactions.

29 **SB 39:** FOR AN ACT ENTITLED, An Act to reduce the period for filing claims upon the revocation
 30 of a grain buyer license.

31 Were read the first time and referred to the Committee on Agriculture and Natural Resources.

1 **SB 37:** FOR AN ACT ENTITLED, An Act to repeal the bingo distributor license and bingo
2 manufacturer license and to repeal the bingo tax.

3 Was read the first time and referred to the Committee on Taxation.

4 **SB 29:** FOR AN ACT ENTITLED, An Act to authorize highway maintenance vehicles to operate
5 at less than the posted minimum speed on interstate highways.

6 Was read the first time and referred to the Committee on Transportation.

7 **SECOND READING OF CONSENT CALENDAR ITEMS**

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

10 Was read the second time.

11 The question being "Shall **HB 1003** pass?"

12 And the roll being called:

13 Yeas 63, Nays 2, Excused 5, Absent 0

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

21 Nays: Aylward and Dennert

22 Excused: Milstead, Stevens, Weisgram, Wink, and Speaker Gosch

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

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

26 **HB 1027:** FOR AN ACT ENTITLED, An Act to place certain substances on the controlled
27 substances schedule and to declare an emergency.

28 Was read the second time.

29 The question being "Shall **HB 1027** pass?"

30 And the roll being called:

31 Yeas 57, Nays 8, Excused 5, Absent 0

32 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Derby,
33 Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard,
34 Healy, Hoffman, Howard, Jamison, Kevin Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner,

1 Lesmeister, May, Mills, Miskimins, Mortenson, Odenbach, Olson, Ernie Otten, Overweg, Perry, Kent
2 Peterson, Sue Peterson, Pourier, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John,
3 Thomason, Tidemann, Vasgaard, Wiese, Willadsen, and York

4 Nays: Aylward, Dennert, Phil Jensen, Marty, Mulally, Pischke, Randolph, and Weis

5 Excused: Milstead, Stevens, Weisgram, Wink, and Speaker Gosch

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

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

10 **REPORTS OF STANDING COMMITTEES**

11 MR. SPEAKER:

12 The Committee on House Judiciary respectfully reports that it has had under consideration
13 **HB 1038** and returns the same with the recommendation that said bill be referred to the House
14 Committee on Appropriations with a Do Pass recommendation.

15 Also MR. SPEAKER:

16 The Committee on House Judiciary respectfully reports that it has had under consideration
17 **HB 1056** and returns the same with the recommendation that said bill be amended as follows:

18 1056B

19 On page 1, line 19, of the Introduced bill, after "the " insert "investigation or "

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

21 Also MR. SPEAKER:

22 The Committee on House Judiciary respectfully reports that it has had under consideration
23 **HB 1036** and returns the same with the recommendation that said bill do pass.

24 Also MR. SPEAKER:

25 The Committee on House Judiciary respectfully reports that it has had under consideration
26 **HB 1068** and returns the same with the recommendation that said bill do pass, and having been
27 certified as uncontested, be placed on the consent calendar.

28 Respectfully submitted,
29 Jon Hansen, Chair

30 Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 2:25 p.m.
31 the House adjourned.

32 Patricia Miller, Chief Clerk