

JOURNAL OF THE HOUSE

NINETY-SEVENTH SESSION

TWELFTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, January 27, 2022

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

The prayer was offered by the Chaplain, Rev. Matt Spoden, followed by the Pledge of Allegiance led by House page Jailey Hutson.

Roll Call: All members present except Reps. Anderson and Hoffman who were excused and Reps. Beal, Hansen, Rehfeldt, and Tidemann 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 11th day.

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

And we hereby move the adoption of the report.

Respectfully submitted,
Spencer R. Gosch, Chair

Which motion prevailed.

1

REPORTS OF STANDING COMMITTEES

2 MR. SPEAKER:

3 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
4 under consideration **HB 1034** and returns the same with the recommendation that said bill be
5 referred to the House Committee on Appropriations.

6 Also MR. SPEAKER:

7 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
8 under consideration **HB 1037, and SB 35, 38, and 39** and returns the same with the
9 recommendation that said bills do pass.

10

Respectfully submitted,

11

Marty Overweg, Chair

12 MR. SPEAKER:

13 The Committee on House Health and Human Services respectfully reports that it has had under
14 consideration **HB 1086** and returns the same with the recommendation that said bill be amended
15 as follows:

16

1086A

17 On page 1, line 23, of the Introduced bill, after "adulteration" insert ".

18 A participating pharmacy may not accept the donation of or distribute any drug subject to the
19 requirements of 21 U. S. C. 355-1(f)(3), as of January 1, 2022"

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

22 Also MR. SPEAKER:

23 The Committee on House Health and Human Services respectfully reports that it has had under
24 consideration **HB 1103** and returns the same with the recommendation that said bill be amended
25 as follows:

26

1103A

27 On page 1, line 1, of the Introduced bill, after "for " insert "chiropractic, "

28 On page 1, line 1, of the Introduced bill, after "dental" insert ", and optometric"

29 On page 1, line 6, of the Introduced bill, after "for " insert "chiropractic, "

30 On page 1, line 6, of the Introduced bill, after "dental" insert ", and optometric"

31 On page 1, line 8, of the Introduced bill, after "amounts" insert ", for each service, "

32 On page 1, line 9, of the Introduced bill, after "customary " delete "dental "

33 On page 1, line 11, of the Introduced bill, after "customary " delete "dental "

34 On page 1, line 12, of the Introduced bill, after "fees.

1 The " insert "department shall promulgate rules, pursuant to chapter 1-26, to establish and
2 annually adjust the "

3 On page 1, line 12, of the Introduced bill, after "schedule " delete "must be established in rule
4 and annually adjusted, pursuant to chapter 1-26"

5 1103B

6 On page 1, line 8, of the Introduced bill, after "on " insert "a percentage of "

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

8 Also MR. SPEAKER:

9 The Committee on House Health and Human Services respectfully reports that it has had under
10 consideration **HB 1094** and returns the same without recommendation.

11 Also MR. SPEAKER:

12 The Committee on House Health and Human Services respectfully reports that it has had under
13 consideration **HB 1095** and returns the same with the recommendation that said bill do pass.

14 Respectfully submitted,
15 Kevin D. Jensen, Chair

16 MR. SPEAKER:

17 The Committee on House Taxation respectfully reports that it has had under consideration
18 **HB 1081** which was deferred to the 41st Legislative Day.

19 Respectfully submitted,
20 Drew Dennert, Chair

21 MR. SPEAKER:

22 The Committee on House Local Government respectfully reports that it has had under
23 consideration **HB 1084** and returns the same with the recommendation that said bill be amended
24 as follows:

25 1084A

26 On page 1, line 1, of the Introduced bill, after "scooters" insert " and to declare an emergency"

27 On page 1, after line 15, of the Introduced bill, insert: "

28 **Section 3.** Whereas, this Act is necessary for the support of the state government and its
29 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full
30 force and effect from and after its passage and approval."

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

1 Also MR. SPEAKER:

2 The Committee on House Local Government respectfully reports that it has had under
3 consideration **HB 1114** which was deferred to the 41st Legislative Day.

4 Respectfully submitted,
5 Nancy York, Chair

6 MR. SPEAKER:

7 The Committee on House Transportation respectfully reports that it has had under
8 consideration **HB 1070, and SB 28 and 74** and returns the same with the recommendation that
9 said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

10 Respectfully submitted,
11 Caleb Finck, Chair

12 MESSAGES FROM THE SENATE

13 Mr. SPEAKER:

14 I have the honor to transmit herewith **SB 7, 11, 12, 16, 19, 22, and 72** which have passed
15 the Senate and your favorable consideration is respectfully requested.

16 Also Mr. SPEAKER:

17 I have the honor to return herewith **HB 1059 and 1062** which have passed the Senate without
18 change.

19 Respectfully,
20 Kay Johnson, Secretary

21 MOTIONS AND RESOLUTIONS

22 Rep. Gross requested a fiscal note on **HB 1024**.

23 Which request was supported.

24 **HCR 6005:** A CONCURRENT RESOLUTION, Urging the executive branch to refrain from seeking
25 or promoting specific legislative outcomes.

26 Introduced by: **Representative** Milstead

27 **HCR 6006:** A CONCURRENT RESOLUTION, To urge the United States Congress and the
28 President of the United States to take no action to employ military forces of the United States in
29 active-duty combat unless the United States Congress has passed an official declaration of war and
30 to bring troops home who are engaged in unconstitutional foreign conflicts.

31 Introduced by: **Representative** Aylward

1 **HCR 6007:** A CONCURRENT RESOLUTION, Celebrating the sister-state relationship with
2 Taiwan.

3 Introduced by: **Representative** Haugaard

4 **HCR 6008:** A CONCURRENT RESOLUTION, Urging the Associated School Boards of South
5 Dakota to immediately discontinue any affiliation with or participation in the National School Boards
6 Association.

7 Introduced by: **Representative** Weis

8 **HR 7002:** A RESOLUTION, Celebrating Black History Month.

9 Introduced by: **Representative** Phil Jensen

10 Were read the first time.

11 **CONSIDERATION OF REPORTS OF COMMITTEES**

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

13 Judiciary on **HB 1026** as found on page 130 of the House Journal; and

14 Commerce and Energy on **HB 1061** as found on page 122 of the House Journal be adopted.

15 Which motion prevailed and the reports were adopted.

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

17 The Speaker declared that **HB 1192** was withdrawn at the request of the prime sponsor
18 pursuant to Joint Rule 6B-1.1.

19 **HB 1162:** FOR AN ACT ENTITLED, An Act to remove the definition of a loaded firearm.

20 Introduced by: **Representative** Kevin Jensen

21 Was read the first time and referred to the Committee on Agriculture and Natural Resources.

22 **HB 1169:** FOR AN ACT ENTITLED, An Act to modify the licensing of barbers.

23 Introduced by: **Representative** Blare

24 Was read the first time and referred to the Committee on Commerce and Energy.

25 **HB 1163:** FOR AN ACT ENTITLED, An Act to provide for the use of screening instruments in
26 determining kindergarten readiness.

27 Introduced by: **Representative** Olson

1 **HB 1170:** FOR AN ACT ENTITLED, An Act to incorporate the Oceti Sakowin Essential
2 Understandings in the social studies curriculum.

3 Introduced by: **Representative** Pourier

4 **HB 1172:** FOR AN ACT ENTITLED, An Act to assist students in objectively reviewing scientific
5 information.

6 Introduced by: **Representative** Phil Jensen

7 Were read the first time and referred to the Committee on Education.

8 **HB 1161:** FOR AN ACT ENTITLED, An Act to create a registration requirement for sober living
9 homes.

10 Introduced by: **Representative** Olson

11 **HB 1164:** FOR AN ACT ENTITLED, An Act to establish provisions for the regulation of certain
12 products derived from industrial hemp.

13 Introduced by: **Representative** Deutsch

14 Were read the first time and referred to the Committee on Health and Human Services.

15 **HB 1160:** FOR AN ACT ENTITLED, An Act to clarify bond or pre-trial release upon sobriety
16 program participation.

17 Introduced by: **Representative** Olson

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

19 **HB 1211:** FOR AN ACT ENTITLED, An Act to prohibit the enforcement of contracts limiting
20 competition on certain matters of conscience.

21 Introduced by: **Representative** Gosch

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

23 **HB 1168:** FOR AN ACT ENTITLED, An Act to to eliminate property tax for certain seniors.

24 Introduced by: **Representative** Phil Jensen

25 **HB 1203:** FOR AN ACT ENTITLED, An Act to require taxing districts to hold a public hearing
26 when increasing property tax revenues relative to the previous year.

27 Introduced by: **Representative** Chris Johnson

28 **HB 1206:** FOR AN ACT ENTITLED, An Act to establish fees for information provided from the
29 statewide voter registration file.

30 Introduced by: **Representative** Dennert

1 **HB 1257:** FOR AN ACT ENTITLED, An Act to establish a fund to assist counties with paying
2 infrastructure expenditures.

3 Introduced by: **Representative** Dennert

4 Were read the first time and referred to the Committee on Taxation.

5 **HB 1167:** FOR AN ACT ENTITLED, An Act to expand the duty of public road repair and
6 maintenance.

7 Introduced by: **Representative** Deutsch

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

9 **HB 1159:** FOR AN ACT ENTITLED, An Act to enhance South Dakota.

10 Introduced by: **Representative** Gosch

11 **HB 1165:** FOR AN ACT ENTITLED, An Act to make an appropriation for capital projects
12 adjacent to the Big Sioux River and to declare an emergency.

13 Introduced by: **Representative** Pischke

14 **HB 1166:** FOR AN ACT ENTITLED, An Act to make an appropriation for road improvements
15 leading to the former entrance into the Palisades State Park and to declare an emergency.

16 Introduced by: **Representative** Pischke

17 **HB 1171:** FOR AN ACT ENTITLED, An Act to revise provisions related to missing children.

18 Introduced by: **Representative** Pourier

19 **HB 1173:** FOR AN ACT ENTITLED, An Act to include a common paymaster as within the
20 meaning of employing unit.

21 Introduced by: **Representative** Derby

22 **HB 1174:** FOR AN ACT ENTITLED, An Act to revise recordkeeping requirements for sales of
23 catalytic converters to scrap metal businesses and to provide a penalty therefor.

24 Introduced by: **Representative** Derby

25 **HB 1175:** FOR AN ACT ENTITLED, An Act to make an appropriation for developing the
26 Mickelson Trail and to declare an emergency.

27 Introduced by: **Representative** Derby

28 **HB 1176:** FOR AN ACT ENTITLED, An Act to grant immunity from certain liabilities for camping
29 activities.

30 Introduced by: **Representative** Derby

- 1 **HB 1177:** FOR AN ACT ENTITLED, An Act to establish provisions regarding ejection of persons
2 from certain lodging establishments and recreational vehicle facilities.
- 3 Introduced by: **Representative** Derby
- 4 **HB 1178:** FOR AN ACT ENTITLED, An Act to establish criteria regarding marijuana.
- 5 Introduced by: **Representative** Derby
- 6 **HB 1179:** FOR AN ACT ENTITLED, An Act to provide for an inalienable right to bodily integrity.
- 7 Introduced by: **Representative** Weis
- 8 **HB 1180:** FOR AN ACT ENTITLED, An Act to permit designated visitors in nursing facilities.
- 9 Introduced by: **Representative** Soye
- 10 **HB 1181:** FOR AN ACT ENTITLED, An Act to prohibit the use of cyanide for the purpose of
11 mining for uranium.
- 12 Introduced by: **Representative** Bordeaux
- 13 **HB 1182:** FOR AN ACT ENTITLED, An Act to partially reallocate federal payments from national
14 forests.
- 15 Introduced by: **Representative** Bordeaux
- 16 **HB 1183:** FOR AN ACT ENTITLED, An Act to prohibit school districts from using certain mascots
17 and team names that are derogatory toward Native American peoples or culture.
- 18 Introduced by: **Representative** Bordeaux
- 19 **HB 1184:** FOR AN ACT ENTITLED, An Act to require the playing of an honor song or Lakota
20 Flag Song at certain graduation ceremonies upon student request.
- 21 Introduced by: **Representative** Bordeaux
- 22 **HB 1185:** FOR AN ACT ENTITLED, An Act to permit the wearing of a beaded graduation cap
23 at a school honoring or graduation ceremony.
- 24 Introduced by: **Representative** Bordeaux
- 25 **HB 1186:** FOR AN ACT ENTITLED, An Act to authorize enrolled tribal members to attend
26 certain institutions of higher education without payment of tuition costs.
- 27 Introduced by: **Representative** Bordeaux
- 28 **HB 1187:** FOR AN ACT ENTITLED, An Act to establish certain provisions related to law
29 enforcement.
- 30 Introduced by: **Representative** Bordeaux
- 31 **HB 1188:** FOR AN ACT ENTITLED, An Act to establish the nonbeneficiary student scholarship
32 program and make an appropriation therefor.
- 33 Introduced by: **Representative** Bordeaux

1 **HB 1189:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of Tribal
2 Relations to fund the Native American achievement schools grant program.

3 Introduced by: **Representative** Bordeaux

4 **HB 1190:** FOR AN ACT ENTITLED, An Act to establish the paraprofessional tuition assistance
5 program, to make an appropriation therefor, and to declare an emergency.

6 Introduced by: **Representative** Bordeaux

7 **HB 1191:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of Tribal
8 Relations to support certain children first learning centers that promote the teaching of the Lakota
9 language and to declare an emergency.

10 Introduced by: **Representative** Bordeaux

11 **HB 1192:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of
12 Education for the Teach for America grant program.

13 Introduced by: **Representative** Bordeaux

14 **HB 1193:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of Tribal
15 Relations to support Indian horse racing relays and to declare an emergency.

16 Introduced by: **Representative** Bordeaux

17 **HB 1194:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Office of Attorney
18 General to temporarily fund a position within the Office of Liaison for Missing and Murdered
19 Indigenous Persons, and to declare an emergency.

20 Introduced by: **Representative** St. John

21 **HB 1195:** FOR AN ACT ENTITLED, An Act to direct the Indian Education Advisory Council to
22 make an annual report to the Governor and the State-Tribal Relations Committee.

23 Introduced by: **Representative** St. John

24 **HB 1196:** FOR AN ACT ENTITLED, An Act to designate the Dakota flute as the official
25 indigenous musical instrument of South Dakota.

26 Introduced by: **Representative** St. John

27 **HB 1197:** FOR AN ACT ENTITLED, An Act to include certain costs as project costs for tax
28 increment financing districts.

29 Introduced by: **Representative** Derby

30 **HB 1198:** FOR AN ACT ENTITLED, An Act to require display of the state motto or the state
31 seal in public schools.

32 Introduced by: **Representative** Phil Jensen

33 **HB 1199:** FOR AN ACT ENTITLED, An Act to remove irreconcilable differences as a cause for
34 divorce.

35 Introduced by: **Representative** Randolph

1 **HB 1200:** FOR AN ACT ENTITLED, An Act to establish criteria for temporary custody and
2 visitation orders.

3 Introduced by: **Representative** Pischke

4 **HB 1201:** FOR AN ACT ENTITLED, An Act to address determinations regarding physical
5 custody of a minor.

6 Introduced by: **Representative** Pischke

7 **HB 1202:** FOR AN ACT ENTITLED, An Act to provide for custody entitlement of a child born
8 out of wedlock.

9 Introduced by: **Representative** Pischke

10 **HB 1204:** FOR AN ACT ENTITLED, An Act to establish liability and the burden of proof for
11 spoliation of evidence in statute.

12 Introduced by: **Representative** Deutsch

13 **HB 1205:** FOR AN ACT ENTITLED, An Act to revise the duty of governing boards regarding
14 dangerous roadways.

15 Introduced by: **Representative** Deutsch

16 **HB 1207:** FOR AN ACT ENTITLED, An Act to clarify standards for the consideration of open
17 enrollment applications.

18 Introduced by: **Representative** Hansen

19 **HB 1208:** FOR AN ACT ENTITLED, An Act to prohibit chemical abortion drugs and to provide
20 a penalty therefor.

21 Introduced by: **Representative** Haugaard

22 **HB 1209:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Board of Regents
23 for improving the National Music Museum at the University of South Dakota and to declare an
24 emergency.

25 Introduced by: **Representative** Kent Peterson

26 **HB 1210:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Board of Regents
27 to provide grant funding for a new biomedical facility at the research park in Sioux Falls, and to
28 declare an emergency.

29 Introduced by: **Representative** Kent Peterson

30 **HB 1212:** FOR AN ACT ENTITLED, An Act to prohibit certain activities related to a person's
31 COVID-19 vaccination status and provide a penalty therefor.

32 Introduced by: **Representative** Haugaard

33 **HB 1213:** FOR AN ACT ENTITLED, An Act to clarify the Corrections Commission's ability to
34 obtain criminal justice information.

35 Introduced by: **Representative** Haugaard

1 **HB 1214:** FOR AN ACT ENTITLED, An Act to prohibit forms of caller identification manipulation
2 and to impose a penalty therefor.

3 Introduced by: **Representative** Gosch

4 **HB 1215:** FOR AN ACT ENTITLED, An Act to revise the deadlines for state agencies to submit
5 annual budget requests to the Legislative Research Council.

6 Introduced by: **Representative** Haugaard

7 **HB 1216:** FOR AN ACT ENTITLED, An Act to remove collective bargaining for school district
8 employees.

9 Introduced by: **Representative** Soye

10 **HB 1217:** FOR AN ACT ENTITLED, An Act to expand criminal provisions regarding the
11 protection of minors from certain forms of sexual exploitation.

12 Introduced by: **Representative** Hansen

13 **HB 1219:** FOR AN ACT ENTITLED, An Act to revise provisions regarding sanitary improvement
14 districts.

15 Introduced by: **Representative** Cwach

16 **HB 1220:** FOR AN ACT ENTITLED, An Act to establish a safe harbor for child survivors of
17 certain forms of human trafficking.

18 Introduced by: **Representative** Hansen

19 **HB 1221:** FOR AN ACT ENTITLED, An Act to require training on human trafficking for law
20 enforcement officers.

21 Introduced by: **Representative** Hansen

22 **HB 1222:** FOR AN ACT ENTITLED, An Act to provide property tax relief for family day care
23 homes.

24 Introduced by: **Representative** Cwach

25 **HB 1223:** FOR AN ACT ENTITLED, An Act to authorize the provision of informed consent by a
26 pregnant minor.

27 Introduced by: **Representative** Healy

28 **HB 1224:** FOR AN ACT ENTITLED, An Act to extend unemployment insurance benefits to
29 individuals who are unemployed because of their refusal to obtain a COVID-19 vaccination.

30 Introduced by: **Representative** Haugaard

31 **HB 1225:** FOR AN ACT ENTITLED, An Act to make an appropriation to provide for the
32 development of South Dakota and to declare an emergency.

33 Introduced by: **Representative** Karr

1 **HB 1226:** FOR AN ACT ENTITLED, An Act to make an appropriation to improve healthcare in
2 South Dakota and to declare an emergency.

3 Introduced by: **Representative** Karr

4 **HB 1227:** FOR AN ACT ENTITLED, An Act to make an appropriation for infrastructure
5 improvements in South Dakota and to declare an emergency.

6 Introduced by: **Representative** Karr

7 **HB 1228:** FOR AN ACT ENTITLED, An Act to expand the ability for patients to seek
8 investigational drugs, biological products, or devices.

9 Introduced by: **Representative** Haugaard

10 **HB 1229:** FOR AN ACT ENTITLED, An Act to authorize the formation of corporations and
11 limited liability companies by physical therapists, occupational therapists, and speech-language
12 pathologists.

13 Introduced by: **Representative** Gosch

14 **HB 1230:** FOR AN ACT ENTITLED, An Act to revise the penalty for a violation of maintenance
15 of financial responsibility.

16 Introduced by: **Representative** Karr

17 **HB 1231:** FOR AN ACT ENTITLED, An Act to revise the penalty for driving without a license.

18 Introduced by: **Representative** Karr

19 **HB 1232:** FOR AN ACT ENTITLED, An Act to establish mandatory sentences for certain driving
20 while under the influence violations.

21 Introduced by: **Representative** Karr

22 **HB 1233:** FOR AN ACT ENTITLED, An Act to establish a hearing requirement for any person
23 convicted of four or more felony offenses prior to parole release.

24 Introduced by: **Representative** Karr

25 **HB 1234:** FOR AN ACT ENTITLED, An Act to make an appropriation to improve the greatness
26 of South Dakota and to declare an emergency.

27 Introduced by: **Representative** Karr

28 **HB 1235:** FOR AN ACT ENTITLED, An Act to make an appropriation for the wellness of South
29 Dakota and to declare an emergency.

30 Introduced by: **Representative** Karr

31 **HB 1236:** FOR AN ACT ENTITLED, An Act to make an appropriation regarding fiscal policy of
32 the State and to declare an emergency.

33 Introduced by: **Representative** Karr

1 **HB 1237:** FOR AN ACT ENTITLED, An Act to make an appropriation to expand the progress of
2 South Dakota and to declare an emergency.

3 Introduced by: **Representative** Karr

4 **HB 1238:** FOR AN ACT ENTITLED, An Act to make an appropriation to advance South Dakota
5 and to declare an emergency.

6 Introduced by: **Representative** Karr

7 **HB 1239:** FOR AN ACT ENTITLED, An Act to make an appropriation to increase the success of
8 South Dakota and to declare an emergency.

9 Introduced by: **Representative** Karr

10 **HB 1240:** FOR AN ACT ENTITLED, An Act to make an appropriation to enhance the economic
11 health of South Dakota and to declare an emergency.

12 Introduced by: **Representative** Karr

13 **HB 1241:** FOR AN ACT ENTITLED, An Act to address surrogacy.

14 Introduced by: **Representative** Haugaard

15 **HB 1242:** FOR AN ACT ENTITLED, An Act to allow medical practice on the basis of conscience.

16 Introduced by: **Representative** Haugaard

17 **HB 1243:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Board of Regents
18 for a cost-of-living increase and to declare an emergency.

19 Introduced by: **Representative** Tidemann

20 **HB 1244:** FOR AN ACT ENTITLED, An Act to make an appropriation to develop and create a
21 residency program for psychologists and to declare an emergency.

22 Introduced by: **Representative** Tidemann

23 **HB 1245:** FOR AN ACT ENTITLED, An Act to equalize the general fund appropriations
24 appropriated to the Board of Regents.

25 Introduced by: **Representative** Tidemann

26 **HB 1246:** FOR AN ACT ENTITLED, An Act to establish the fundamental right of a parent.

27 Introduced by: **Representative** Sue Peterson

28 **HB 1247:** FOR AN ACT ENTITLED, An Act to reduce the gross receipts tax rate on retail sales
29 and service and a certain use tax rate to four percent.

30 Introduced by: **Representative** Haugaard

31 **HB 1248:** FOR AN ACT ENTITLED, An Act to make an appropriation for the erection of the
32 South Dakota Sioux Code Talker Memorial and to declare an emergency.

33 Introduced by: **Representative** Haugaard

-
- 1 **HB 1249:** FOR AN ACT ENTITLED, An Act to require the posting of syllabi and course
2 information.
- 3 Introduced by: **Representative** Sue Peterson
- 4 **HB 1250:** FOR AN ACT ENTITLED, An Act to prohibit institutions of higher education from
5 discriminating against or providing preferential treatment to students.
- 6 Introduced by: **Representative** Sue Peterson
- 7 **HB 1251:** FOR AN ACT ENTITLED, An Act to address lobbying.
- 8 Introduced by: **Representative** Haugaard
- 9 **HB 1252:** FOR AN ACT ENTITLED, An Act to create an Office of Public Policy Events at
10 institutions of higher education.
- 11 Introduced by: **Representative** Sue Peterson
- 12 **HB 1253:** FOR AN ACT ENTITLED, An Act to provide property assessment freeze and reduction
13 of property assessment for certain seniors, and to revise qualifications for a property tax exemption.
- 14 Introduced by: **Representative** Chaffee
- 15 **HB 1254:** FOR AN ACT ENTITLED, An Act to prohibit the private funding of National Guard and
16 State Guard active-duty missions.
- 17 Introduced by: **Representative** Pourier
- 18 **HB 1255:** FOR AN ACT ENTITLED, An Act to clarify certain public meeting requirements.
- 19 Introduced by: **Representative** Haugaard
- 20 **HB 1256:** FOR AN ACT ENTITLED, An Act to establish employees' exemptions from employer-
21 imposed COVID-19 vaccine requirements.
- 22 Introduced by: **Representative** Odenbach
- 23 **HB 1258:** FOR AN ACT ENTITLED, An Act to prohibit obtaining an individual's COVID-19
24 vaccination status without the consent of the individual.
- 25 Introduced by: **Representative** Gosch
- 26 **HB 1259:** FOR AN ACT ENTITLED, An Act to provide oversight regarding the exercise of
27 gubernatorial emergency powers.
- 28 Introduced by: **Representative** Randolph
- 29 **HB 1260:** FOR AN ACT ENTITLED, An Act to limit the manner in which legislation may be
30 introduced.
- 31 Introduced by: **Representative** Randolph

1 **HB 1261:** FOR AN ACT ENTITLED, An Act to establish emergency retire-rehire provisions for
2 the South Dakota Retirement System.

3 Introduced by: **Representative** Kent Peterson

4 **HB 1262:** FOR AN ACT ENTITLED, An Act to prohibit discrimination based on a person's
5 vaccination status or possession of an immunity passport and to declare an emergency.

6 Introduced by: **Representative** Howard

7 **HB 1263:** FOR AN ACT ENTITLED, An Act to require an annual meeting with the congressional
8 delegation.

9 Introduced by: **Representative** Phil Jensen

10 **HB 1264:** FOR AN ACT ENTITLED, An Act to make an appropriation for the Liaison for Missing
11 and Murdered Indigenous Persons Office, and to declare an emergency.

12 Introduced by: **Representative** Pourier

13 **HB 1265:** FOR AN ACT ENTITLED, An Act to increase the required units of United States
14 government for high school graduation.

15 Introduced by: **Representative** Sue Peterson

16 **HB 1266:** FOR AN ACT ENTITLED, An Act to codify minimum requirements for high school
17 graduation.

18 Introduced by: **Representative** Sue Peterson

19 **HJR 5002:** A JOINT RESOLUTION, proposing and submitting to the electors at the next general
20 election an amendment to the Constitution of the State of South Dakota, establishing the
21 commissioner of agriculture and natural resources as an elected constitutional officer.

22 Introduced by: **Representative** Lesmeister

23 Were read the first time.

24 **HB 1218:** FOR AN ACT ENTITLED, An Act to revise the definition of abused or neglected child
25 to include minors subject to human trafficking.

26 Introduced by: **Representative** Hansen

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

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

29 The Speaker declared that **HCR 6001** changed prime sponsor from Senator Duhamel to
30 Senator Foster at their request.

31 **SB 7:** FOR AN ACT ENTITLED, An Act to revise provisions related to custody and visitation
32 rights by medical cannabis cardholders.

33 **SB 11:** FOR AN ACT ENTITLED, An Act to revise provisions regarding the medical marijuana
34 oversight committee.

1 **SB 12:** FOR AN ACT ENTITLED, An Act to revise the annual report on medical cannabis by the
2 Department of Health to the Legislature.

3 **SB 16:** FOR AN ACT ENTITLED, An Act to repeal provisions related to the prosecution, search,
4 seizure, penalty, or discipline of medical cannabis establishments for certain conduct.

5 **SB 19:** FOR AN ACT ENTITLED, An Act to permit certain facilities to establish reasonable
6 restrictions related to the medical use of cannabis.

7 **SB 22:** FOR AN ACT ENTITLED, An Act to revise a reference to the Division of Criminal
8 Investigation.

9 **SB 72:** FOR AN ACT ENTITLED, An Act to establish the crime of hazing and to provide a penalty
10 therefor.

11 Were read the first time.

12 **SECOND READING OF CONSENT CALENDAR ITEMS**

13 Rep. Gross requested that **HB 1024** be removed from the Consent Calendar.

14 Rep. Hansen requested that **SB 36** be removed from the Consent Calendar.

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

17 **HB 1085:** FOR AN ACT ENTITLED, An Act to expand the eligibility for a small estate probate.

18 **HB 1102:** FOR AN ACT ENTITLED, An Act to reduce the exempt commercial policyholder
19 aggregate premium requirement.

20 **SB 47:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding money
21 transmission.

22 Were read the second time.

23 The question being "Shall **HB 1078** pass as amended, and **HB 1085 and 1102, and SB 47**
24 pass?"

25 And the roll being called:

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

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

34 Excused: Anderson and Hoffman

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

1 There being no objection, the House proceeded to Order of Business No. 14 - Second Reading
2 of Senate Bills and Joint Resolutions.

3 Which motion prevailed.

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

5 **SB 46:** FOR AN ACT ENTITLED, An Act to protect fairness in women's sports.

6 Was read the second time.

7 Rep. Milstead moved that **SB 46** be amended as follows:

8 46E

9 On page 1, line 22, of the Senate Engrossed bill, after "relief, " insert "and damages, "

10 On page 2, line 7, of the Senate Engrossed bill, after "relief, " insert "and damages, "

11 Rep. Haugaard requested that Joint Rule 5-17 be invoked on the pending amendment on
12 **SB 46**.

13 Which request was supported and **SB 46** with Rep. Milstead's pending motion to amend was
14 deferred until Tuesday, February 1, 2022, the 14th legislative day.

15 There being no objection, the House reverted to Order of Business No. 13 - Second Reading of
16 House Bills and Joint Resolutions.

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

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

20 Was read the second time.

21 The question being "Shall **HB 1058** pass?"

22 And the roll being called:

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

24 Yeas: Deutsch, Finck, Fitzgerald, Goodwin, Lana Greenfield, Hansen, Haugaard, Kevin Jensen,
25 Phil Jensen, Koth, Ladner, Marty, Mills, Milstead, Sue Peterson, Randolph, Reimer, Soye, Vasgaard,
26 Wiese, and York

27 Nays: Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,
28 Dennert, Derby, Drury, Duba, Gross, Healy, Howard, Jamison, Chris Johnson, Karr, Keintz,
29 Lesmeister, May, Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie Otten, Overweg, Perry,

1 Kent Peterson, Pischke, Pourier, Reed, Rehfeldt, Schneider, Jamie Smith, St. John, Stevens,
2 Thomason, Tidemann, Weis, Weisgram, Willadsen, Wink, and Speaker Gosch

3 Excused: Anderson and Hoffman

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

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

8 Was read the second time.

9 The question being "Shall **HB 1057** pass?"

10 And the roll being called:

11 Yeas 30, Nays 38, Excused 2, Absent 0

12 Yeas: Barthel, Blare, Deutsch, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,
13 Haugaard, Howard, Kevin Jensen, Phil Jensen, Karr, Koth, Ladner, Marty, May, Mills, Milstead,
14 Odenbach, Perry, Sue Peterson, Randolph, Schneider, Soye, Vasgaard, Wiese, York, and
15 Speaker Gosch

16 Nays: Aylward, Bartels, Beal, Bordeaux, Chaffee, Chase, Cwach, Davis, Dennert, Derby, Drury,
17 Duba, Healy, Jamison, Chris Johnson, Keintz, Lesmeister, Miskimins, Mortenson, Mulally, Olson,
18 Ernie Otten, Overweg, Kent Peterson, Pischke, Pourier, Reed, Rehfeldt, Reimer, Jamie Smith, St.
19 John, Stevens, Thomason, Tidemann, Weis, Weisgram, Willadsen, and Wink

20 Excused: Anderson and Hoffman

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

23 Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 3:00 p.m.
24 the House adjourned.

25

Patricia Miller, Chief Clerk