

JOURNAL OF THE HOUSE

NINETY-SEVENTH SESSION

TWENTY-FIRST DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, February 10, 2022

The House convened at 1:30 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Rev. Mercy Hobbs, followed by the Pledge of Allegiance led by House page Harlee Heim.

Roll Call: All members present except Reps. Koth, Ernie Otten, Sue Peterson, and Rehfeldt who were excused and Reps. Gross, Keintz, and Randolph 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 20th 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

COMMUNICATIONS AND PETITIONS

2

February 10, 2022

3

Mr. Speaker and Members of the House:

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I have the honor to inform you that on February 9, 2022, I approved House Bills 1002, 1009, 1027, 1036, 1046, and 1063, and the same have been deposited in the office of the Secretary of State.

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Respectfully submitted,
Kristi Noem
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 1056, 1069, and 1103** and finds the same correctly enrolled.

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Respectfully submitted,
Spencer R. Gosch, Chair

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Mr. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that **HB 1070, 1076, and 1106** were delivered to her Excellency, the Governor, for her approval at 10:23 a.m., February 10, 2022.

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Respectfully submitted,
Spencer R. Gosch, Chair

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MR. SPEAKER:

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The Committee on House Judiciary respectfully reports that it has had under consideration **HB 1171** which was deferred to the 41st Legislative Day.

23

24

Also MR. SPEAKER:

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The Committee on House Judiciary respectfully reports that it has had under consideration **HB 1176** and returns the same with the recommendation that said bill be amended as follows:

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1176A

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On page 2, line 13, of the Introduced bill, delete "; and" and insert a period

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On page 3, line 9, of the Introduced bill, after "section. " insert "A warning sign must be posted at the entrance or registration desk of a private campground. "

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And that as so amended, said bill do pass.

1 Also MR. SPEAKER:

2 The Committee on House Judiciary respectfully reports that it has had under consideration
3 **HB 1229** and returns the same with the recommendation that said bill be amended as follows:

4 1229C

5 On page 1, line 6, of the Introduced bill, delete "Terms " and insert "As "

6 On page 1, line 6, of the Introduced bill, after "chapter" delete " mean"

7 On page 1, line 7, of the Introduced bill, after "incorporation," " insert "includes "

8 On page 1, line 8, of the Introduced bill, after "company;

9 (2) "Corporation," " insert "includes "

10 On page 1, line 11, of the Introduced bill, after ""officer," " insert "includes "

11 On page 1, line 13, of the Introduced bill, after "managers;

12 (4) "Incorporation," " insert "includes "

13 On page 1, line 13, of the Introduced bill, delete "members " and insert "organization "

14 On page 1, line 14, of the Introduced bill, after "company;

15 (5) "Shareholders," " insert "includes "

16 On page 1, line 15, of the Introduced bill, after "and

17 (6) "Shares," " insert "includes "

18 On page 1, line 18, of the Introduced bill, after "36-31, " delete "and "

19 On page 1, line 19, of the Introduced bill, after "36-37" insert ", or any combination of such
20 licensees,"

21 On page 2, line 1, of the Introduced bill, after "organized " delete "solely "

22 On page 2, line 2, of the Introduced bill, delete "and " and insert "or "

23 On page 2, line 2, of the Introduced bill, after "pathology, " insert "or any combination of such
24 practices"

25 On page 2, line 2, of the Introduced bill, after "pathology, " delete "by persons qualified to
26 practice such in this state"

27 On page 2, line 5, of the Introduced bill, after "state" delete ", only in furtherance of and
28 subject to its corporate purpose"

29 On page 3, line 18, of the Introduced bill, after "changes." delete "Section 9. That chapter 47-
30 11G be amended with a NEW SECTION:"

31 On page 3, line 19, of the Introduced bill, after "SECTION:" delete "Except as provided in this
32 chapter, corporations may not engage in the practice of physical therapy, occupational therapy, or
33 speech-language pathology."

34 On page 4, line 1, of the Introduced bill, after "by" insert " a"

1 On page 4, line 2, of the Introduced bill, after "pathologist" delete " employed by it"

2 On page 4, line 5, of the Introduced bill, after "pathologist " delete "employed by the
3 corporation "

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

6 Also MR. SPEAKER:

7 The Committee on House Judiciary respectfully reports that it has had under consideration
8 **HB 1270** and returns the same with the recommendation that said bill be amended as follows:

9 1270A

10 On page 1, line 17, of the Introduced bill, after "courtroom" insert ", or appear by interactive
11 audio technology that allows sight and sound interaction,"

12 On page 2, line 13, of the Introduced bill, after "courtroom" insert the comma

13 On page 2, line 13, of the Introduced bill, after "courtroom " insert "or appear by interactive
14 audio technology that allows sight and sound interaction, "

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

17 Respectfully submitted,
18 Jon Hansen, Chair

19 MR. SPEAKER:

20 The Committee on House Education respectfully reports that it has had under consideration
21 **HB 1250, 1265, and 1266** which were tabled.

22 Also MR. SPEAKER:

23 The Committee on House Education respectfully reports that it has had under consideration
24 **HB 1163** and returns the same with the recommendation that said bill be amended as follows:

25 1163C

26 On page 1, line 10, of the Introduced bill, after "demonstrated" insert " readiness for
27 kindergarten"

28 On page 1, line 11, of the Introduced bill, after "instruments" delete ", that the child has
29 superior"

30 On page 1, line 11, of the Introduced bill, after "superior " delete "academic talents or abilities
31 and is socially and emotionally ready to begin kindergarten."

32 On page 1, line 13, of the Introduced bill, delete "The screening instruments used under
33 subdivision (2) of this section must be approved by the Department of Education " and insert
34 "selected "

35 On page 1, line 15, of the Introduced bill, delete ", at the request of the child's parent" and
36 insert " or the nonpublic school to which the child seeks admission"

1 1163D

2 On page 1, line 9, of the Introduced bill, delete "December thirty-first" and insert "September
3 thirtieth"

4 On page 1, line 10, of the Introduced bill, after "demonstrated" insert " readiness for
5 kindergarten"

6 On page 1, line 11, of the Introduced bill, after "instruments" delete ", that the child has
7 superior"

8 On page 1, line 11, of the Introduced bill, after "superior " delete "academic talents or abilities
9 and is socially and emotionally ready to begin kindergarten."

10 On page 1, line 13, of the Introduced bill, delete "The screening instruments used under
11 subdivision (2) of this section must be approved by the Department of Education " and insert
12 "selected "

13 On page 1, line 15, of the Introduced bill, delete ", at the request of the child's parent" and
14 insert " or the nonpublic school to which the child seeks admission"

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

16 Also MR. SPEAKER:

17 The Committee on House Education respectfully reports that it has had under consideration
18 **HB 1337** and returns the same with the recommendation that said bill be amended as follows:

19 1337B

20 On page 2, line 8, of the Introduced bill, after "concept." insert "

21 Nothing in this section prohibits a school district employee from:

22 (1) Discussing, as part of a larger course of academic instruction, a divisive concept in an
23 objective manner and without endorsement; or

24 (2) Permitting or presiding over student debate, regarding a divisive concept, in an objective
25 manner and without endorsement."

26 On page 3, line 13, of the Introduced bill, after "in " insert "sections 2 to 8, inclusive, of "

27 On page 3, line 14, of the Introduced bill, after "school." insert "

28 For purposes of sections 2 to 8, inclusive, of this Act, the term, state agency, does not include
29 the Board of Regents, the South Dakota Board of Technical Education, or any institution under their
30 control."

31 1337F

32 On page 1, line 4, of the Introduced bill, after "Dakota:" delete "Section 1. Politicizing
33 elementary and secondary instruction by promoting politically divisive concepts or pressuring
34 students into political activism inappropriately injects politics into the classroom and should not
35 serve as a basis for instruction in South Dakota."

36 On page 2, line 8, of the Introduced bill, after "concept." insert "

37 Nothing in this section prohibits a school district employee from:

1 (1) Discussing, as part of a larger course of academic instruction, a divisive concept in an
2 objective manner and without endorsement; or

3 (2) Permitting or presiding over student debate, regarding a divisive concept, in an objective
4 manner and without endorsement."

5 On page 2, line 9, of the Introduced bill, after "concept." delete "Section 4. That chapter 13-1
6 be amended with a NEW SECTION:

7 "

8 On page 2, line 10, of the Introduced bill, after "SECTION:" delete "For purposes of this Act,
9 the term, lobbying, means:

10 (1) To promote, oppose, or influence the passage or defeat of, or the sponsorship or
11 introduction of, any ballot measure as defined in § 2-1-1. 3, ballot question as defined in § 12-27-
12 1, law, rule or emergency rule as defined in § 1-26-1, or resolution or ordinance as defined by §§ 7-
13 18A-1 and 9-19-1;

14 (2) To attempt to influence an individual to vote for or against a particular candidate for any
15 public office; or

16 (3) To attempt to influence any public officer in the performance of the officer's duties.

17 This term does not include educational activities or assignments that simulate protest or
18 lobbying in a school setting."

19 On page 2, line 20, of the Introduced bill, after "setting." delete "Section 5. That chapter 13-1
20 be amended with a NEW SECTION:

21 "

22 On page 2, line 21, of the Introduced bill, after "SECTION:" delete "A public school district or
23 district employee may not require, make part of a course, or award a grade or course credit,
24 including extra credit, for a student's:

25 (1) Political activism, lobbying, or efforts to persuade members of the legislative or executive
26 branch at the federal, state, or local level to take specific actions by direct communication; or

27 (2) Participation in any service learning, internship, practicum, or action project involving social
28 or public policy activism or lobbying."

29 On page 2, line 28, of the Introduced bill, after "lobbying." delete "Section 6. That chapter 13-
30 1 be amended with a NEW SECTION:

31 "

32 On page 2, line 29, of the Introduced bill, after "SECTION:" delete "State agencies or public
33 school districts may not accept or expend any private funding for curriculum development, purchase
34 or choice of curricular materials, teacher training, professional development, or continuing teacher
35 education pertaining to courses on history, civics, United States government and politics, social
36 studies, or similar subject areas, whether for regular credit or advanced placement credit."

37 On page 3, line 4, of the Introduced bill, after "credit." delete "Section 7. That chapter 13-1 be
38 amended with a NEW SECTION:

39 "

1 On page 3, line 5, of the Introduced bill, after "SECTION:" delete "A public school district may
2 not permit a course of instruction or unit of study that results in a student being distinguished or
3 classified on account of race or color.

4 Nothing in this section may be construed to prohibit the required collection or reporting of
5 demographic data by institutions of higher education or public school districts."

6 On page 3, line 14, of the Introduced bill, after "school." insert "

7 For purposes of sections 2 to 8, inclusive, of this Act, the term, state agency, does not include
8 the Board of Regents, the South Dakota Board of Technical Education, or any institution under their
9 control."

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

11 Respectfully submitted,
12 Lana Greenfield, Chair

13 MR. SPEAKER:

14 The Committee on House Local Government respectfully reports that it has had under
15 consideration **HB 1087** and returns the same with the recommendation that said bill be amended
16 as follows:

17 1087A

18 On page 1, line 2, of the Introduced bill, after "copying" insert " and deliberations in an
19 executive or closed meeting"

20 On page 2, line 16, of the Introduced bill, delete " specific to" and insert " including"

21 On page 4, after line 33, of the Introduced bill, insert: "

22 **Section 2. That § 1-25-2 be AMENDED:**

23 **1-25-2.** Executive or closed meetings may be held for the sole purposes of:

24 (1) Discussing the qualifications, competence, performance, character or fitness of any
25 public officer or employee or prospective public officer or employee. The term, employee, does not
26 include any independent contractor;

27 (2) Discussing the expulsion, suspension, discipline, assignment of or the educational
28 program of a student or the eligibility of a student to participate in interscholastic activities provided
29 by the South Dakota High School Activities Association;

30 (3) Consulting with legal counsel or reviewing communications from legal counsel about
31 proposed or pending litigation or contractual matters;

32 (4) Preparing for contract negotiations or negotiating with employees or employee
33 representatives;

34 (5) Discussing marketing or pricing strategies by a board or commission of a business owned
35 by the state or any of its political subdivisions, when public discussion may be harmful to the
36 competitive position of the business; or

37 (6) Discussing information ~~listed in subdivisions 1-27-1.5(8) and 1-27-1.5(17) pertaining to~~
38 the protection of public or private property and any person on or within public or private property
39 specific to:

- 1 (a) Any vulnerability assessment or response plan intended to prevent or mitigate criminal
2 acts;
- 3 (b) Emergency management or response;
- 4 (c) Public safety information that would create a substantial likelihood of endangering public
5 safety or property, if disclosed;
- 6 (d) Cyber security plans, computer, communications network schema, passwords, or user
7 identification names;
- 8 (e) Guard schedules;
- 9 (f) Lock combinations; and
- 10 (g) Any blueprint, building plan, or infrastructure record regarding any building or facility that
11 would expose or create vulnerability through disclosure of the location, configuration, or security of
12 critical systems of the building or facility; and
- 13 (h) Any emergency or disaster response plans or protocols, safety or security audits or reviews,
14 or lists of emergency or disaster response personnel or material; any location or listing of weapons
15 or ammunition; nuclear, chemical, or biological agents; or other military or law enforcement
16 equipment or personnel.

17 However, any official action concerning ~~such the~~ matters pursuant to this section shall be made
18 at an open official meeting. An executive or closed meeting ~~shall~~ must be held only upon a majority
19 vote of the members of the public body present and voting, and discussion during the closed meeting
20 is restricted to the purpose specified in the closure motion. Nothing in § 1-25-1 or this section
21 prevents an executive or closed meeting if the federal or state Constitution or the federal or state
22 statutes require or permit it. A violation of this section is a Class 2 misdemeanor."

23 1087C

24 On the previously adopted amendment (1087A), On page 5, line 26, after "combinations;"
25 delete " and"

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

28 Also MR. SPEAKER:

29 The Committee on House Local Government respectfully reports that it has had under
30 consideration **HB 1332** which was deferred to the 41st Legislative Day.

31 Also MR. SPEAKER:

32 The Committee on House Local Government respectfully reports that it has had under
33 consideration **SB 138** and returns the same with the recommendation that said bill do pass, and
34 having been certified as uncontested, be placed on the consent calendar.

35 Respectfully submitted,
36 Nancy York, Chair

37 MR. SPEAKER:

38 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
39 under consideration **HB 1277** and returns the same with the recommendation that said bill be
40 referred to the House Committee on Appropriations.

1 Also MR. SPEAKER:

2 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
3 under consideration **HB 1193 and 1298** which were deferred to the 41st Legislative Day.

4 Also MR. SPEAKER:

5 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
6 under consideration **HB 1320** and returns the same with the recommendation that said bill be
7 amended as follows:

8 1320A

9 On page 1, line 4, of the Introduced bill, delete "\$2,000,000" and insert " \$1"

10 And that as so amended said bill be referred to the House Committee on Appropriations.

11 Also MR. SPEAKER:

12 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
13 under consideration **HB 1276** and returns the same with the recommendation that said bill be
14 amended as follows:

15 1276A

16 On page 1, line 1, of the Introduced bill, after "of " insert "aerial "

17 On page 1, line 5, of the Introduced bill, after "of " insert "aerial "

18 On page 1, line 8, of the Introduced bill, after "of " insert "aerial "

19 And that as so amended said bill be referred to the House Committee on Appropriations with
20 a Do Pass recommendation.

21 Respectfully submitted,
22 Marty Overweg, Chair

23 MR. SPEAKER:

24 The Committee on House Transportation respectfully reports that it has had under
25 consideration **HB 1166** which was tabled.

26 Also MR. SPEAKER:

27 The Committee on House Transportation respectfully reports that it has had under
28 consideration **HB 1306** and returns the same with the recommendation that said bill be amended
29 as follows:

30 1306A

31 On page 1, line 4, of the Introduced bill, after "appropriated " insert "from the general fund "

32 On page 1, line 4, of the Introduced bill, delete "1 in federal fund expenditure authority for the
33 expenditure of American Rescue Plan Act Capital Projects Fund moneys" and insert "50,700,000,"

34 On page 1, line 6, of the Introduced bill, after "Revenue" insert the comma

1 On page 1, line 6, of the Introduced bill, after "distribution" insert ", in three equal amounts in
2 fiscal years 2023, 2024, and 2025,"

3 And that as so amended said bill be referred to the House Committee on Appropriations with
4 a Do Pass recommendation.

5 Also MR. SPEAKER:

6 The Committee on House Transportation respectfully reports that it has had under
7 consideration **SB 91** and returns the same with the recommendation that said bill do pass, and
8 having been certified as uncontested, be placed on the consent calendar.

9
10 Respectfully submitted,
Caleb Finck, Chair

11 Also MR. SPEAKER:

12 The Committee on House Health and Human Services respectfully reports that it has had under
13 consideration **HB 1267** and returns the same with the recommendation that said bill do pass.

14 Also MR. SPEAKER:

15 The Committee on House Health and Human Services respectfully reports that it has had under
16 consideration **HB 1280** and returns the same with the recommendation that said bill be amended
17 as follows:

18
1280A

19 On page 1, line 23, of the Introduced bill, after "condition; " delete "and"

20 On page 1, line 25, of the Introduced bill, after "examinations;" insert " and

21 (d) The practitioner is licensed and has the authority to prescribe drugs to humans in this state.
22 In relation to a nonresident cardholder, the practitioner must be licensed and must have the
23 authority to prescribe drugs to humans in the state of the patient's residence;"

24 And that as so amended, returns said bill without recommendation.

25
26 Respectfully submitted,
Kevin D. Jensen, Chair

27 MESSAGES FROM THE SENATE

28 Mr. SPEAKER:

29 I have the honor to return herewith **HB 1056** which has passed the Senate without change.

30 Also Mr. SPEAKER:

31 I have the honor to return herewith **HCR 6004** in which Senate has concurred.

1 Also Mr. SPEAKER:

2 I have the honor to transmit herewith **SB 101, 139, 160, and 184** which have passed the
3 Senate and your favorable consideration is respectfully requested.

4 Respectfully,
5 Kay Johnson, Secretary

6 **MOTIONS AND RESOLUTIONS**

7 Rep. Kent Peterson moved that **HB 1211, 1278, 1279, 1333, and 1334** be deferred to
8 Monday, February 14, 2022, the 22nd legislative day.

9 Which motion prevailed.

10 Rep. Kent Peterson moved that the House do concur in Senate amendments to **HB 1078**.

11 The question being on Rep. Kent Peterson's motion that the House do concur in Senate
12 amendments to **HB 1078**.

13 And the roll being called:

14 Yeas 60, Nays 3, Excused 7, Absent 0

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

21 Nays: Phil Jensen, Mulally, and Weis

22 Excused: Davis, Karr, Keintz, Koth, Ernie Otten, Sue Peterson, and Rehfeldt

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

25 **HCR 6001**: A CONCURRENT RESOLUTION, Opining that the star quilt should be recognized as
26 the official quilt of this state.

27 Was read the second time.

28 Rep. Drury moved that **HCR 6001** as found on page 53 of the House Journal be adopted.

29 The question being on Rep. Drury's motion that **HCR 6001** be adopted.

30 And the roll being called:

31 Yeas 62, Nays 2, Excused 6, Absent 0

32 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,
33 Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,
34 Haugaard, Healy, Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Keintz,
35 Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson,

1 Overweg, Perry, Kent Peterson, Pischke, Pourier, Randolph, Reed, Reimer, Schneider, Jamie Smith,
2 Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weisgram, Wiese, Willadsen, Wink, and
3 York

4 Nays: Weis and Speaker Gosch

5 Excused: Davis, Karr, Koth, Ernie Otten, Sue Peterson, and Rehfeldt

6 So the motion having received an affirmative vote of a majority of the members-elect, the
7 Speaker declared the motion carried and **HCR 6001** was adopted.

8 **HCR 6002**: A CONCURRENT RESOLUTION, recommending private sector housing solutions.

9 Was read the second time.

10 Rep. Odenbach moved that **HCR 6002** as found on page 53 of the House Journal be adopted.

11 The question being on Rep. Odenbach's motion that **HCR 6002** be adopted.

12 And the roll being called:

13 Yeas 50, Nays 15, Excused 5, Absent 0

14 Yeas: Anderson, Aylward, Beal, Blare, Chaffee, Chase, Dennert, Deutsch, Finck, Fitzgerald,
15 Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Hoffman, Howard, Jamison, Kevin Jensen, Phil
16 Jensen, Chris Johnson, Ladner, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally,
17 Odenbach, Overweg, Perry, Kent Peterson, Pischke, Randolph, Reed, Reimer, Schneider, Soye, St.
18 John, Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, and
19 Speaker Gosch

20 Nays: Bartels, Barthel, Bordeaux, Cwach, Davis, Derby, Drury, Duba, Healy, Keintz,
21 Lesmeister, Olson, Pourier, Jamie Smith, and York

22 Excused: Karr, Koth, Ernie Otten, Sue Peterson, and Rehfeldt

23 So the motion having received an affirmative vote of a majority of the members-elect, the
24 Speaker declared the motion carried and **HCR 6002** was adopted.

25 **HCR 6003**: A CONCURRENT RESOLUTION, declaring April 26th to be shared parenting day.

26 Was read the second time.

27 Rep. Pischke moved that **HCR 6003** as found on page 53 of the House Journal be adopted.

28 The question being on Rep. Pischke's motion that **HCR 6003** be adopted.

29 And the roll being called:

30 Yeas 54, Nays 12, Excused 4, Absent 0

31 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Chaffee, Chase, Davis, Dennert, Derby,
32 Deutsch, Drury, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Hoffman,
33 Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Lesmeister, Marty, May, Mills,
34 Milstead, Miskimins, Mortenson, Odenbach, Overweg, Perry, Kent Peterson, Pischke, Randolph,

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

3 Nays: Bordeaux, Cwach, Duba, Healy, Keintz, Ladner, Mulally, Olson, Pourier, Jamie Smith,
4 Stevens, and Willadsen

5 Excused: Koth, Ernie Otten, Sue Peterson, and Rehfeldt

6 So the motion having received an affirmative vote of a majority of the members-elect, the
7 Speaker declared the motion carried and **HCR 6003** was adopted.

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 Taxation respectfully reports that it has had under consideration
13 **HB 1203** and returns the same with the recommendation that said bill be amended as follows:

14 1203A

15 On page 2, line 17, of the Introduced bill, after "district," insert " in proportion to the property
16 tax levied by each taxing district holding a public hearing required under this Act,"

17 On page 2, line 20, of the Introduced bill, after "include" insert ", but is not limited to"

18 And that as so amended, said bill do NOT pass.

19 Also MR. SPEAKER:

20 The Committee on House Taxation respectfully reports that it has had under consideration
21 **HB 1053** and returns the same with the recommendation that said bill be amended as follows:

22 1053A

23 On page 1, line 23, of the Introduced bill, after "buildings;" insert "

24 (4) The furnishing of facilities in subdivisions (1) to (3) with equipment necessary for the
25 function of those facilities;"

26 1053B

27 On page 2, line 3, of the Introduced bill, delete " the" and insert " all registered"

28 On page 2, line 3, of the Introduced bill, after "voters" insert " voting at the bond election"

29 On page 3, line 19, of the Introduced bill, delete " § 10-52A-9" and insert " section 9 of this
30 Act"

31 1053E

32 On page 2, line 3, of the Introduced bill, after "bonds." insert "

1 A county may only hold a bond election to authorize the issuance of bonds pursuant to this
2 chapter if the county has not imposed a county gross receipts tax pursuant to this chapter in the
3 previous five years."

4 1053F

5 On page 1, line 22, of the Introduced bill, after "16-22-5.1;" delete "

6 (3) Construction, repair, or renovation of county maintenance buildings; and

7 (4) Construction or repair of county roads and bridges."

8 1053I

9 On page 2, line 7, of the Introduced bill, after "one" insert "-half"

10 1053J

11 On the previously adopted amendment (1053I), On page 1, line 18, after "jails;" insert " and"

12 On the previously adopted amendment (1053I), On page 1, line 22, after "16-22-5.1" delete
13 ";

14 (3) Construction, repair, or renovation of county maintenance buildings; and

15 (4) Construction or repair of county roads and bridges"

16 1053K

17 On the previously adopted amendment (1053E), On page 4, after line 31, insert: "

18 **Section 13. That a NEW SECTION be added to title 7:**

19 The expiration date for a tax imposed under this chapter is full payment of the bond authorized
20 pursuant to section 2 of this Act. The county shall apply any excess revenue received and remaining
21 after the expiration of the tax to expenses of maintaining or operating, or both, the building,
22 structure, or facility funded pursuant to such bond."

23 1053D

24 On page 2, line 2, of the Introduced bill, delete " a majority" and insert " at least sixty percent"

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

26 Also MR. SPEAKER:

27 The Committee on House Taxation respectfully reports that it has had under consideration
28 **HB 1206** and returns the same with the recommendation that said bill be amended as follows:

29 1206A

30 On page 1, line 7, of the Introduced bill, after "file, " delete "one thousand two hundred fifty"

31 On page 1, line 7, of the Introduced bill, after "fifty " insert "two thousand five hundred "

32 On page 1, line 10, of the Introduced bill, delete "Ten" and insert "Fifteen"

33 On page 1, line 11, of the Introduced bill, delete "Twenty-five" and insert "Fifty"

- 1 On page 1, line 12, of the Introduced bill, delete "Fifty " and insert "One hundred "
- 2 On page 1, line 14, of the Introduced bill, delete "One hundred twenty-five" and insert "Two
3 hundred fifty"
- 4 On page 1, line 16, of the Introduced bill, after "file," delete " fifty"
- 5 On page 1, line 16, of the Introduced bill, after "fifty " insert "one hundred "
- 6 On page 1, line 18, of the Introduced bill, delete "Ten " and insert "Fifteen "
- 7 On page 1, line 19, of the Introduced bill, delete "Twenty-five " and insert "Fifty "
- 8 On page 1, line 20, of the Introduced bill, delete "Fifty " and insert "One hundred "
- 9 On page 1, line 22, of the Introduced bill, delete "One hundred twenty-five " and insert "Two
10 hundred fifty "
- 11 On page 2, line 1, of the Introduced bill, delete "One hundred twenty-five " and insert "Two
12 hundred fifty "
- 13 On page 2, line 1, of the Introduced bill, delete "Fifteen " and insert "Twenty-five "
- 14 On page 2, line 28, of the Introduced bill, after "file," delete " one thousand five hundred"
- 15 On page 2, line 28, of the Introduced bill, after "hundred " insert "three thousand "
- 16 On page 2, line 29, of the Introduced bill, after "file," delete " seventy-five"
- 17 On page 2, line 29, of the Introduced bill, after "seventy-five " insert "one hundred fifty "
- 18 On page 2, line 31, of the Introduced bill, delete "Thirty-five " and insert "Sixty-five "
- 19 On page 2, line 32, of the Introduced bill, delete "Fifty " and insert "One hundred "
- 20 On page 3, line 1, of the Introduced bill, delete "Seventy-five " and insert "One hundred fifty "
- 21 On page 3, line 3, of the Introduced bill, delete "One hundred fifty " and insert "Three hundred
22 "
- 23 And that as so amended, said bill do pass, and having been certified as uncontested, be placed
24 on the consent calendar.

25 Also MR. SPEAKER:

26 The Committee on House Taxation respectfully reports that it has had under consideration
27 **HB 1284** and returns the same with the recommendation that said bill be amended as follows:

28 1284A

29 On page 1, after line 2, of the Introduced bill, insert: "

30 **Section 1. That § 10-4-24.13 be AMENDED:**

31 **10-4-24.13.** The percentage tax reduction of real property taxes, as provided pursuant to
32 § 10-4-24.11, due or paid on a single family dwelling for a multiple member household is according
33 to the following schedule:

34 If household income

1	but not
2	The tax due reduction
3	is more than:
4	more than
5	on current levy is:
6	\$ 0
7	\$ 15,730 <u>18,500</u>
8	100%
9	15,730 <u>18,500</u>
10	16,730 <u>19,500</u>
11	75%
12	16,730 <u>19,500</u>
13	17,730 <u>21,000</u>
14	50%
15	17,730 <u>21,000</u>
16	18,730 <u>22,000</u>
17	25%
18	more than 18,730 <u>22,000</u>
19	0%
20	"

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

23 Also MR. SPEAKER:

24 The Committee on House Taxation respectfully reports that it has had under consideration
25 **HB 1301** and returns the same with the recommendation that said bill be amended as follows:

1301A

27 On page 1, line 7, of the Introduced bill, delete " six" and insert " seven"

28 On page 1, line 7, of the Introduced bill, delete " eight" and insert " three"

29 On page 1, line 12, of the Introduced bill, remove the overstrikes from "Seventy"

30 On page 1, line 12, of the Introduced bill, after "follows:

31 (1) Seventy" delete "Forty"

32 On page 1, line 21, of the Introduced bill, remove the overstrikes from "Ten"

33 On page 1, line 21, of the Introduced bill, after "and

34 (4) Ten" delete "Forty"

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

36
37

Respectfully submitted,
Drew Dennert, Chair

1

CONSIDERATION OF REPORTS OF COMMITTEES

2

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

3

Education on **HB 1012** as found on page 243 of the House Journal; also

4

Commerce and Energy on **HB 1118** as found on page 242 of the House Journal; also

5

Judiciary on **HB 1152 and 1246** as found on page 252 of the House Journal; also

6

State Affairs on **HB 1214** as found on page 253 of the House Journal; and

7

Commerce and Energy on **SB 40** as found on page 243 of the House Journal be adopted.

8

Which motion prevailed and the reports were adopted.

9

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

10

SB 101: FOR AN ACT ENTITLED, An Act to revise provisions regarding the sale or service of alcoholic beverages by persons under the age of twenty-one.

11

12

SB 139: FOR AN ACT ENTITLED, An Act to provide for the creation and funding of Oceti Sakowin community-based schools.

13

14

SB 160: FOR AN ACT ENTITLED, An Act to exempt motor vehicle service contracts from the insurance code.

15

16

SB 184: FOR AN ACT ENTITLED, An Act to provide for limited elk licenses to resident landowners.

17

18

Were read the first time.

19

SECOND READING OF CONSENT CALENDAR ITEMS

20

SB 10: FOR AN ACT ENTITLED, An Act to revise provisions related to verifications required prior to receiving medical cannabis.

21

22

Was read the second time.

23

The question being "Shall **SB 10** pass as amended?"

24

And the roll being called:

25

Yeas 65, Nays 1, Excused 4, Absent 0

26

Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Healy, Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz, Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Odenbach, Olson, Overweg, Perry, Kent Peterson, Pischke, Pourier, Randolph, Reed, Reimer, Schneider, Jamie

27

28

29

30

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

3 Nays: Mulally

4 Excused: Koth, Ernie Otten, Sue Peterson, and Rehfeldt

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

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

8 **HB 1300:** FOR AN ACT ENTITLED, An Act to provide for certain permissible dates for municipal
9 and school district elections.

10 Was read the second time.

11 The question being "Shall **HB 1300** pass?"

12 And the roll being called:

13 Yeas 47, Nays 19, Excused 4, Absent 0

14 Yeas: Anderson, Aylward, Beal, Blare, Chaffee, Davis, Dennert, Derby, Deutsch, Finck,
15 Fitzgerald, Goodwin, Lana Greenfield, Hansen, Haugaard, Hoffman, Howard, Phil Jensen, Chris
16 Johnson, Ladner, Lesmeister, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson,
17 Perry, Kent Peterson, Pischke, Randolph, Reimer, Schneider, Soye, St. John, Thomason, Tidemann,
18 Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

19 Nays: Bartels, Barthel, Bordeaux, Chase, Cwach, Drury, Duba, Gross, Healy, Jamison, Kevin
20 Jensen, Karr, Keintz, Marty, Overweg, Pourier, Reed, Jamie Smith, and Stevens

21 Excused: Koth, Ernie Otten, Sue Peterson, and Rehfeldt

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

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

26 Was read the second time.

27 The question being "Shall **HB 1200** pass as amended?"

28 And the roll being called:

29 Yeas 28, Nays 38, Excused 4, Absent 0

30 Yeas: Aylward, Chaffee, Dennert, Finck, Fitzgerald, Gross, Hansen, Haugaard, Hoffman,
31 Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Marty, May, Mills, Mulally, Odenbach,
32 Overweg, Perry, Pischke, Soye, St. John, Weis, Wiese, York, and Speaker Gosch

33 Nays: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chase, Cwach, Davis, Derby, Deutsch,
34 Drury, Duba, Goodwin, Lana Greenfield, Healy, Jamison, Keintz, Ladner, Lesmeister, Milstead,

1 Miskimins, Mortenson, Olson, Kent Peterson, Pourier, Randolph, Reed, Reimer, Schneider, Jamie
2 Smith, Stevens, Thomason, Tidemann, Vasgaard, Weisgram, Willadsen, and Wink

3 Excused: Koth, Ernie Otten, Sue Peterson, and Rehfeldt

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 Speaker Pro tempore Hansen now presiding.

7 **HB 1275:** FOR AN ACT ENTITLED, An Act to clarify signature requirements on petitions
8 regarding the change of form of government in municipalities.

9 Was read the second time.

10 Rep. Pischke moved that **HB 1275** be amended as follows:

11 1275C

12 On page 1, line 13, of the House Local Government Engrossed bill, delete "signed " and insert
13 "filed "

14 On page 1, line 14, of the House Local Government Engrossed bill, delete "noted " and insert
15 "declared "

16 Which motion prevailed.

17 The question being "Shall **HB 1275** pass as amended?"

18 And the roll being called:

19 Yeas 63, Nays 3, Excused 4, Absent 0

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

27 Nays: Aylward, Phil Jensen, and Weis

28 Excused: Koth, Ernie Otten, Sue Peterson, and Rehfeldt

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

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

33 Was read the second time.

1 The question being "Shall **HB 1213** pass?"

2 And the roll being called:

3 Yeas 62, Nays 4, Excused 4, Absent 0

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

10 Nays: Fitzgerald, Milstead, Reimer, and Willadsen

11 Excused: Koth, Ernie Otten, Sue Peterson, and Rehfeldt

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

14 **SIGNING OF BILLS**

15 The Speaker publicly read the title to

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

18 **HB 1069:** FOR AN ACT ENTITLED, An Act to include out-of-state convictions as a basis of an
19 enhanced penalty for certain drug crimes.

20 **HB 1103:** FOR AN ACT ENTITLED, An Act to provide a reimbursement schedule for
21 chiropractic, dental, and optometric services under the Medicaid program.

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

23 Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 2:52 p.m.
24 the House adjourned.

25 Patricia Miller, Chief Clerk