

# *JOURNAL OF THE HOUSE*

## *NINETY-SEVENTH SESSION*

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THIRTY-FIRST DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Tuesday, March 01, 2022

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

The prayer was offered by the Chaplain, Rev. Craig Wexler, followed by the Pledge of Allegiance led by House page Alexander Otten.

Roll Call: All members present.

### **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 30th day.

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

And we hereby move the adoption of the report.

Which motion prevailed.

Respectfully submitted,  
Spencer R. Gosch, Chair

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**REPORTS OF STANDING COMMITTEES**

2 Mr. SPEAKER:

3 The Committee on Legislative Procedure respectfully reports that **HB 1001, 1013, 1018,**  
4 **1019, 1037, 1060, 1079, 1082, 1083, 1087, 1118, 1122, 1123, 1128, 1131, and 1286** were  
5 delivered to her Excellency, the Governor, for her approval at 11:10 a.m., March 1, 2022.

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Respectfully submitted,  
Spencer R. Gosch, Chair

8 MR. SPEAKER:

9 The House Committee on Appropriations respectfully reports that it has had under  
10 consideration **SB 53, 65, and 84** and returns the same with the recommendation that said bills do  
11 NOT pass.

12 Also MR. SPEAKER:

13 The House Committee on Appropriations respectfully reports that it has had under  
14 consideration **SB 102 and 189** which were tabled.

15 Also MR. SPEAKER:

16 The House Committee on Appropriations respectfully reports that it has had under  
17 consideration **SB 200** which was deferred to the 41st Legislative Day.

18  
19

Respectfully submitted,  
Chris Karr, Chair

20 MR. SPEAKER:

21 The Committee on House State Affairs respectfully reports that it has had under consideration  
22 **HCR 6010** which was tabled.

23 Also MR. SPEAKER:

24 The Committee on House State Affairs respectfully reports that it has had under consideration  
25 **SB 3 and 117** which were deferred to the 41st Legislative Day.

26 Also MR. SPEAKER:

27 The Committee on House State Affairs respectfully reports that it has had under consideration  
28 **SB 195** and returns the same with the recommendation that said bill do pass.

29 Also MR. SPEAKER:

30 The Committee on House State Affairs respectfully reports that it has had under consideration  
31 **SB 108 and 131** and returns the same with the recommendation that said bills do pass, and having  
32 been certified as uncontested, be placed on the consent calendar.

33 Also MR. SPEAKER:

34 The Committee on House State Affairs respectfully reports that it has had under consideration  
35 **SB 150** and returns the same with the recommendation that said bill be amended as follows:

1 150C

2 On page 1, line 1, of the Senate Engrossed bill, delete "establish" and insert " revise"

3 On page 1, line 1, delete " the sale of adult-use retail marijuana" and insert " medical cannabis"

4 On the Senate Engrossed bill, delete everything after the enacting clause and insert:

5 "

6 **Section 1. That § 34-20G-51 be AMENDED:**

7 **34-20G-51.** Except as provided in § 34-20G-18 and this section, ~~a person may assert the~~  
 8 ~~medical purpose for using cannabis as a~~ it is an affirmative defense to any prosecution involving for  
 9 using or possessing cannabis, and such affirmative defense is presumed valid where the evidence  
 10 shows that:

11 ~~(1) A practitioner has stated that, in the practitioner's professional opinion, after having~~  
 12 ~~completed a full assessment of the person's medical history and current medical condition made in~~  
 13 ~~the course of a bona fide practitioner-patient relationship, the patient has a debilitating medical~~  
 14 ~~condition and the potential benefits of using cannabis for medical purposes would likely outweigh~~  
 15 ~~the health risks for the person;~~

16 ~~(2) The person was in possession of no more than three ounces of cannabis, the amount~~  
 17 ~~of cannabis products allowed by department rules, six cannabis plants minimum or as prescribed by~~  
 18 ~~a physician, and the cannabis produced by those plants;~~

19 ~~(3) The person was engaged in the acquisition, possession, use, manufacture,~~  
 20 ~~cultivation, or transportation of cannabis, paraphernalia, or both, relating to the administration of~~  
 21 ~~cannabis to treat or alleviate the person's debilitating medical condition or symptoms associated~~  
 22 ~~with the person's debilitating medical condition; and~~

23 ~~(4) Any cultivation of cannabis and storage of more than three ounces of cannabis~~  
 24 ~~occurred in a secure location that only the person asserting the defense could access~~

25 (1) The person is a qualifying patient and the person is not in physical possession of the registry  
 26 identification card, the person was registered with the department as a cardholder or nonresident  
 27 cardholder at the time of the alleged offense;

28 (2) The person is a designated caregiver, the person was registered with the department and  
 29 in physical possession of the registry identification card at the time of the alleged offense or produces  
 30 the registry identification card to law enforcement within forty-eight hours of the alleged offense;  
 31 and

32 (3) The conduct underlying the alleged offense complied with this chapter.

33 **Section 2. That § 34-20G-8 be REPEALED:**

34 ~~No dispensary or a dispensary agent is subject to prosecution, search, or inspection, except by~~  
 35 ~~the department pursuant to § 34-20G-69, seizure, or penalty in any manner; or may be denied any~~  
 36 ~~right or privilege, including civil penalty or disciplinary action by a court or business licensing board~~  
 37 ~~or entity, for acting in accordance with this chapter to:~~

38 ~~(1) Possess, transport, or store cannabis or cannabis products;~~

39 ~~(2) Deliver, transfer, or transport cannabis to a testing facility and compensate a testing~~  
 40 ~~facility for services provided;~~

41 ~~(3) Accept cannabis offered by a cardholder or nonresident cardholder if nothing of value~~  
 42 ~~is exchanged in return;~~

1 ~~(4) — Purchase or otherwise acquire cannabis from a cultivation facility or dispensary, and~~  
2 ~~cannabis products from cannabis product manufacturing facility or dispensary; and~~

3 ~~(5) — Deliver, sell, supply, transfer, or transport cannabis, cannabis products, cannabis~~  
4 ~~paraphernalia, or related supplies or educational materials to a cardholder, nonresident cardholder,~~  
5 ~~or dispensary.~~

6 **Section 3. That § 34-20G-9 be REPEALED:**

7 ~~No cultivation facility or a cultivation facility agent is subject to prosecution, search, or~~  
8 ~~inspection, except by the department pursuant to § 34-20G-69, seizure, or penalty of any kind, or~~  
9 ~~may be denied any right or privilege, including civil penalty or disciplinary action by a court or~~  
10 ~~business licensing board or entity, for acting in accordance with this chapter to:~~

11 ~~(1) — Possess, plant, propagate, cultivate, grow, harvest, produce, process, manufacture,~~  
12 ~~compound, convert, prepare, pack, repack, or store cannabis;~~

13 ~~(2) — Deliver, transfer, or transport cannabis to a testing facility and compensate a testing~~  
14 ~~facility for services provided;~~

15 ~~(3) — Accept cannabis offered by a cardholder or nonresident cardholder if nothing of value~~  
16 ~~is exchanged in return;~~

17 ~~(4) — Purchase or otherwise acquire cannabis from a cultivation facility;~~

18 ~~(5) — Purchase cannabis seeds from a cardholder, nonresident cardholder, or the~~  
19 ~~equivalent of a medical cannabis establishment that is registered in another jurisdiction; or~~

20 ~~(6) — Deliver, sell, supply, transfer, or transport cannabis, cannabis paraphernalia, or~~  
21 ~~related supplies or educational materials to a cultivation facility and dispensary.~~

22 **Section 4. That § 34-20G-10 be REPEALED:**

23 ~~No cannabis product manufacturing facility or a cannabis product manufacturing facility agent~~  
24 ~~is subject to prosecution, search, or inspection, except by the department pursuant to § 34-20G-~~  
25 ~~69, seizure, or penalty of any kind, or may be denied any right or privilege, including civil penalty~~  
26 ~~or disciplinary action by a court or business licensing board or entity, for acting in accordance with~~  
27 ~~this chapter to:~~

28 ~~(1) — Purchase or otherwise acquire cannabis from cultivation facility, and cannabis~~  
29 ~~products or cannabis from a cannabis product manufacturing facility;~~

30 ~~(2) — Possess, produce, process, manufacture, compound, convert, prepare, pack,~~  
31 ~~repack, and store cannabis or cannabis products;~~

32 ~~(3) — Deliver, transfer, or transport cannabis, cannabis products, cannabis paraphernalia,~~  
33 ~~or related supplies or educational materials to a dispensary or cannabis product manufacturing~~  
34 ~~facility;~~

35 ~~(4) — Deliver, transfer, or transport cannabis to testing facility and compensate testing~~  
36 ~~facility for services provided; or~~

37 ~~(5) — Deliver, sell, supply, transfer, or transport cannabis, cannabis products, cannabis~~  
38 ~~paraphernalia, or related supplies or educational materials to a cannabis product manufacturing~~  
39 ~~facility or dispensary.~~

40 **Section 5. That § 34-20G-11 be REPEALED:**

41 ~~No testing facility or testing facility agent is subject to prosecution, search, or inspection,~~  
42 ~~except by the department pursuant to § 34-20G-69, seizure, or penalty in any manner, or may be~~

1 ~~denied any right or privilege, including civil penalty or disciplinary action by a court or business~~  
2 ~~licensing board or entity, for acting in accordance with this chapter to:~~

3 ~~(1) Acquire, possess, transport, and store cannabis or cannabis products obtained from~~  
4 ~~a cardholder, nonresident cardholder or medical cannabis establishment;~~

5 ~~(2) Return the cannabis or cannabis products to a cardholder, nonresident cardholder,~~  
6 ~~or medical cannabis establishment from whom it was obtained;~~

7 ~~(3) Test cannabis, including for potency, pesticides, mold, or contaminants; or~~

8 ~~(4) Receive compensation for services under this section.~~

9 **Section 6. That § 34-20G-53 be REPEALED:**

10 ~~A person is not required to possess a registry identification card to raise the affirmative defense~~  
11 ~~set forth in § 34-20G-51."~~

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

13 Respectfully submitted,  
14 Kent Peterson, Chair

15 MR. SPEAKER:

16 The Committee on House Taxation respectfully reports that it has had under consideration  
17 **SB 162** and returns the same with the recommendation that said bill be amended as follows:

18 162D

19 On page 3, line 29, of the Senate Engrossed bill, after "§ 10-6-137" insert "(5), (6), and (7)"

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 Taxation respectfully reports that it has had under consideration  
24 **SB 165** and returns the same with the recommendation that said bill do pass, and having been  
25 certified as uncontested, be placed on the consent calendar.

26 Respectfully submitted,  
27 Drew Dennert, Chair

28 MR. SPEAKER:

29 The Committee on House Agriculture and Natural Resources respectfully reports that it has had  
30 under consideration **SB 201, and SCR 602** and returns the same with the recommendation that  
31 said bill and resolution do pass.

32 Respectfully submitted,  
33 Marty Overweg, Chair

1 MR. SPEAKER:

2 The Committee on House Health and Human Services respectfully reports that it has had under  
3 consideration **SB 19** and returns the same with the recommendation that said bill be amended as  
4 follows:

5 19D

6 On page 2, line 32, of the Senate Engrossed bill, after "facility" insert ", as defined in § 34-12-  
7 1. 1"

8 On page 2, line 32, of the Senate Engrossed bill, after "facility, " insert "an "

9 On page 2, line 33, of the Senate Engrossed bill, after "facility" insert ", as defined in § 34-  
10 20A-2"

11 On page 2, line 33, of the Senate Engrossed bill, after "facility, " insert "a "

12 On page 2, line 34, of the Senate Engrossed bill, after "in" delete " subdivision 27A-1-1(16)"

13 On page 2, line 34, of the Senate Engrossed bill, after "27A-1-1(16)" insert " § 27A-1-1"

14 On page 2, line 34, of the Senate Engrossed bill, after "27A-1-1(16), " insert "a child welfare  
15 agency, as defined in § 26-6-1, "

16 On page 2, line 34, of the Senate Engrossed bill, after "or " insert "a "

17 On page 4, line 32, of the Senate Engrossed bill, delete "healthcare" and insert " health care"

18 On page 4, line 34, of the Senate Engrossed bill, delete "subdivision 27A-1-1(16)" and insert  
19 " § 27A-1-1"

20 On page 4, line 34, of the Senate Engrossed bill, delete " and" and insert " a child welfare  
21 agency, as defined in § 26-6-1,"

22 On page 4, line 34, of the Senate Engrossed bill, after "and " insert "or "

23 On page 4, line 34, of the Senate Engrossed bill, after "provider" delete " and"

24 On page 4, line 34, of the Senate Engrossed bill, after "and " insert "or "

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

27 Also MR. SPEAKER:

28 The Committee on House Health and Human Services respectfully reports that it has had under  
29 consideration **SB 26** and returns the same with the recommendation that said bill be amended as  
30 follows:

31 26B

32 On page 4, after line 26, of the Senate Health and Human Services Engrossed bill, insert: "

33 **Section 2. That § 34-20G-88 be AMENDED:**

34 **34-20G-88.** Data kept or maintained by the department may be disclosed solely for:

- 1 (1) The verification of a registration certificate or registry identification card pursuant  
2 to this chapter;
- 3 (2) Submission of the annual report required by this chapter;
- 4 (3) Notification of state or local law enforcement of an apparent criminal violation of this  
5 chapter;
- 6 (4) Notification of state and local law enforcement about falsified or fraudulent  
7 information submitted for the purpose of obtaining or renewing a registry identification card; or
- 8 (5) Notification of the ~~South Dakota Board of Medical and Osteopathic Examiners~~  
9 applicable licensing board if there is reason to believe that a practitioner provided a written  
10 certification and the department has reason to believe the practitioner otherwise violated the  
11 standard of care for evaluating a medical condition."

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

13 Also MR. SPEAKER:

14 The Committee on House Health and Human Services respectfully reports that it has had under  
15 consideration **SB 24** and returns the same with the recommendation that said bill do pass.

16 Also MR. SPEAKER:

17 The Committee on House Health and Human Services respectfully reports that it has had under  
18 consideration **SB 118 and 136** and returns the same with the recommendation that said bills do  
19 pass, and having been certified as uncontested, be placed on the consent calendar.

20 Respectfully submitted,  
21 Kevin D. Jensen, Chair

22 MR. SPEAKER:

23 The Committee on House Local Government respectfully reports that it has had under  
24 consideration **SB 90** and returns the same with the recommendation that said bill be amended as  
25 follows:

26 90D

27 On page 2, line 29, of the Senate Local Government Engrossed bill, delete " or multiple single-  
28 family dwellings" and insert " and townhouses"

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

30 Also MR. SPEAKER:

31 The Committee on House Local Government respectfully reports that it has had under  
32 consideration **SB 156** and returns the same with the recommendation that said bill do pass, and  
33 having been certified as uncontested, be placed on the consent calendar.

34 Respectfully submitted,  
35 Nancy York, Chair

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**REPORTS OF CONFERENCE COMMITTEES**

2 MR. SPEAKER:

3 The HB1068 A Conference Committee on **HB 1068** respectfully reports that it has considered  
4 the disagreement of the two houses, and returns the same with the recommendation that said bill  
5 be amended as follows:

6

1068B

7 On page 1, line 10, of the Senate Judiciary Engrossed bill, delete " Consent" and insert " This  
8 consent is not subject to disaffirmance because of minority or disaffirmance of a parent or guardian,  
9 and consent".

10 Respectfully submitted,  
11 Tim Reed, Chair

Respectfully submitted,  
Timothy R. Johns, Chair

12

**MESSAGES FROM THE SENATE**

13 Mr. SPEAKER:

14 I have the honor to return herewith **HB 1016, 1017, 1020, 1021, 1022, 1023, 1024, 1030,**  
15 **1034, 1047, 1086, 1110, 1115, 1120, 1121, 1155, 1177, 1197, 1282, 1283, 1285, 1292,**  
16 **and 1308** which have passed the Senate without change.

17 Also Mr. SPEAKER:

18 I have the honor to return herewith **HB 1041, 1119, and 1152** which have been amended  
19 by the Senate and your concurrence in the amendments is respectfully requested.

20 Also Mr. SPEAKER:

21 I have the honor to inform your honorable body that **HB 1053, 1163, and 1300** were lost on  
22 second reading and final passage.

23 Also Mr. SPEAKER:

24 I have the honor to transmit herewith **SB 41** which has passed the Senate and your favorable  
25 consideration is respectfully requested.

26

27

Respectfully,  
Kay Johnson, Secretary

28

**MOTIONS AND RESOLUTIONS**

29 Rep. Jamison moved that the Committee on State Affairs be instructed to deliver **SB 3** to the  
30 floor of the House, pursuant to JR 7-7.

31 Which motion was supported and the committee was so instructed.



1 **HR 7004**: A RESOLUTION, Addressing the Governor's unacceptable actions in matters related  
2 to the appraiser certification program.

3 Was read the second time.

4 Rep. Mills moved that **HR 7004** as found on page 465 of the House Journal be adopted.

5 Rep. Chris Johnson rose to a point of order that Rep. Mills was in violation of JR 1B-1.

6 The Speaker ruled that he was ruling against invoking JR 1B-1, and that a roll call vote would  
7 be taken on Rep. Chris Johnson's point of order.

8 And the roll being called:

9 Yeas 14, Nays 53, Excused 3, Absent 0

10 Yeas: Anderson, Bartels, Chaffee, Derby, Fitzgerald, Goodwin, Kevin Jensen, Chris Johnson,  
11 Koth, Miskimins, Perry, Rehfeldt, Reimer, and Willadsen

12 Nays: Aylward, Barthel, Beal, Blare, Bordeaux, Chase, Cwach, Davis, Dennert, Deutsch, Drury,  
13 Duba, Finck, Lana Greenfield, Gross, Hansen, Healy, Hoffman, Jamison, Phil Jensen, Karr, Keintz,  
14 Ladner, Lesmeister, Marty, May, Mills, Milstead, Mortenson, Mulally, Odenbach, Olson, Ernie Otten,  
15 Overweg, Kent Peterson, Pischke, Pourier, Randolph, Reed, Schneider, Jamie Smith, Soye, St. John,  
16 Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram, Wiese, Wink, York, and Speaker Gosch

17 Excused: Haugaard, Howard, and Sue Peterson

18 So the motion not having received an affirmative vote of a majority of the members-elect, the  
19 Speaker declared the motion lost, the Speaker's ruling was upheld, and Rep. Chris Johnson's point  
20 of order was overruled.

21 Rep. Kent Peterson moved the previous question.

22 And the roll being called:

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

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

30 Nays: Aylward, Hansen, Phil Jensen, Karr, May, Mills, Milstead, Randolph, and Soye

31 Excused: Haugaard, Howard, and Sue Peterson

32 So the motion having received an affirmative vote of a majority of the members present, the  
33 Speaker declared the motion prevailed.

34 The question being on Rep. Mills' motion that **HR 7004** be adopted.

35 And the roll being called:

36 Yeas 29, Nays 38, Excused 3, Absent 0

1 Yeas: Aylward, Bordeaux, Cwach, Dennert, Deutsch, Duba, Gross, Hansen, Healy, Phil Jensen,  
2 Karr, Keintz, Ladner, Lesmeister, Marty, May, Mills, Milstead, Mulally, Odenbach, Overweg, Pischke,  
3 Pourier, Randolph, Jamie Smith, Soye, Weis, Wiese, and Speaker Gosch

4 Nays: Anderson, Bartels, Barthel, Beal, Blare, Chaffee, Chase, Davis, Derby, Drury, Finck,  
5 Fitzgerald, Goodwin, Lana Greenfield, Hoffman, Jamison, Kevin Jensen, Chris Johnson, Koth,  
6 Miskimins, Mortenson, Olson, Ernie Otten, Perry, Kent Peterson, Reed, Rehfeldt, Reimer, Schneider,  
7 St. John, Stevens, Thomason, Tidemann, Vasgaard, Weisgram, Willadsen, Wink, and York

8 Excused: Haugaard, Howard, and Sue Peterson

9 So the motion not having received an affirmative vote of a majority of the members-elect, the  
10 Speaker declared the motion lost.

11 Rep. St. John moved that the House do concur in Senate amendments to **HB 1196**.

12 The question being on Rep. St. John's motion that the House do concur in Senate amendments  
13 to **HB 1196**.

14 And the roll being called:

15 Yeas 69, Nays 0, Excused 1, Absent 0

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

23 Excused: Howard

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

26 **SCR 607**: A CONCURRENT RESOLUTION, Encouraging the South Dakota High School Activities  
27 Association to sanction baseball.

28 Was read the second time.

29 Rep. Lana Greenfield moved that **SCR 607** as found on page 476 of the House Journal be  
30 concurred in.

31 The question being on Rep. Lana Greenfield's motion that **SCR 607** be concurred in.

32 And the roll being called:

33 Yeas 66, Nays 3, Excused 1, Absent 0

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

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

3 Nays: Finck, Hoffman, and Speaker Gosch

4 Excused: Howard

5 So the motion having received an affirmative vote of a majority of the members-elect, the  
6 Speaker declared the motion carried and **SCR 607** was concurred in.

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

8 **SB 41:** FOR AN ACT ENTITLED, An Act to revise the appropriation for the construction of a  
9 National Guard Readiness Center in Sioux Falls, for the purchase and exchange of property between  
10 the state and the Sioux Falls Development Foundation, and to declare an emergency.

11 Was read the first time and the Speaker waived the committee referral pursuant to JR 6D-1.

12 **SECOND READING OF CONSENT CALENDAR ITEMS**

13 Rep. Olson requested that **SB 167** be removed from the Consent Calendar.

14 **SB 119:** FOR AN ACT ENTITLED, An Act to prohibit sexual contact between prison employees  
15 and prisoners.

16 **SB 199:** FOR AN ACT ENTITLED, An Act to revise provisions related to a name change for  
17 certain crime victims.

18 Were read the second time.

19 The question being "Shall **SB 199** pass as amended, and **SB 119** pass?"

20 And the roll being called:

21 Yeas 69, Nays 0, Excused 1, Absent 0

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

29 Excused: Howard

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

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

2 **SB 147:** FOR AN ACT ENTITLED, An Act to authorize the construction and operation of a  
3 nursing facility in Lyman County and to declare an emergency.

4 Was read the second time.

5 The question being "Shall **SB 147** pass?"

6 And the roll being called:

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

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

15 Nays: Lana Greenfield, Marty, and Pischke

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

18 **SB 104:** FOR AN ACT ENTITLED, An Act to modify certain provisions related to elections for  
19 sparse school districts.

20 Was read the second time.

21 Rep. Anderson moved that **SB 104** be amended as follows:

22 104C

23 On page 1, line 6, of the Senate Engrossed bill, after "§ 12-14-1" delete ", unless the election  
24 is held on the first Tuesday after the first Monday in June"

25 Which motion prevailed.

26 The question being "Shall **SB 104** pass as amended?"

27 And the roll being called:

28 Yeas 56, Nays 14, Excused 0, Absent 0

29 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Chaffee, Dennert, Derby, Deutsch,  
30 Drury, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Howard, Jamison,  
31 Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Koth, Ladner, Lesmeister, Marty, May, Mills,  
32 Milstead, Miskimins, Mortenson, Mulally, Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Sue  
33 Peterson, Pischke, Randolph, Reed, Rehfeldt, Reimer, Soye, St. John, Stevens, Thomason,  
34 Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, and York

1 Nays: Bordeaux, Chase, Cwach, Davis, Duba, Healy, Hoffman, Keintz, Odenbach, Pourier,  
2 Schneider, Jamie Smith, Tidemann, and Speaker Gosch

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

5 **SB 77**: FOR AN ACT ENTITLED, An Act to enhance the penalty on registered sex offenders who  
6 commit sexual contact without consent from a person capable of consenting.

7 Was read the second time.

8 The question being "Shall **SB 77** pass as amended?"

9 And the roll being called:

10 Yeas 70, Nays 0, Excused 0, Absent 0

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

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

## 20 **COMMEMORATIONS**

21 **HC 8010**: A LEGISLATIVE COMMEMORATION, Celebrating the Madison High School  
22 gymnastics team for winning the Class A state championship.

23 Introduced by: **Representative** Wiese

24 **HC 8011**: A LEGISLATIVE COMMEMORATION, Celebrating one hundred years of WNAX radio.

25 Introduced by: **Representatives** Cwach, Anderson, Bartels, Barthel, Chaffee, Davis, Dennert,  
26 Finck, Gosch, Lana Greenfield, Hansen, Healy, Hoffman, Keintz, Marty, Perry, Reed, Stevens,  
27 Thomason, and Willadsen and **Senators** Hunhoff, Herman Otten, and Wiik

28 **HC 8012**: A LEGISLATIVE COMMEMORATION, Celebrating the Platte-Geddes High School  
29 football team for winning the Class 9AA state championship.

30 Introduced by: **Representatives** Finck, Bartels, Barthel, Blare, Bordeaux, Duba, Lana  
31 Greenfield, Overweg, Perry, Kent Peterson, and Reimer and **Senators** Tobin, Hunhoff, Herman  
32 Otten, Schoenbeck, Schoenfish, V. J. Smith, Wiik, and Zikmund.

## 33 **SIGNING OF BILLS**

34 The Speaker publicly read the title to

35 **SB 4**: FOR AN ACT ENTITLED, An Act to revise provisions related to a written certification for  
36 the medical use of cannabis.

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 14:** FOR AN ACT ENTITLED, An Act to revise provisions related to the confidential list of  
4 medical cannabis cardholders maintained by the Department of Health.

5 **SB 23:** FOR AN ACT ENTITLED, An Act to revise the definition of bona fide practitioner-patient  
6 relationship.

7 **SB 27:** FOR AN ACT ENTITLED, An Act to revise the provisions regarding the denial or  
8 nonrenewal of a patient registry identification card.

9 **SB 52:** FOR AN ACT ENTITLED, An Act to make an appropriation for the replacement of the  
10 Richmond Lake spillway, for the general maintenance and repair of other state-owned dams, and to  
11 declare an emergency.

12 **SB 64:** FOR AN ACT ENTITLED, An Act to make appropriations from the water and environment  
13 fund and its revolving fund subfunds for various water and environmental purposes and to declare  
14 an emergency.

15 **SB 67:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of Game,  
16 Fish and Parks to improve and repair infrastructure around Lake Alvin and Newell Lake and to declare  
17 an emergency.

18 **SB 73:** FOR AN ACT ENTITLED, An Act to provide for the use of artificial light and night-vision  
19 equipment while hunting coyotes and other predators.

20 **SB 93:** FOR AN ACT ENTITLED, An Act to revise certain provisions related to the use of  
21 epinephrine and supraglottic airway devices by ambulance services.

22 **SB 135:** FOR AN ACT ENTITLED, An Act to revise provisions regarding agritourism liability.

23 **SB 176:** FOR AN ACT ENTITLED, An Act to revise provisions regarding self-propelled  
24 agriculture units.

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

26 Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 3:04 p.m.  
27 the House adjourned.

28

Patricia Miller, Chief Clerk