

JOURNAL OF THE HOUSE

NINETY-EIGHTH SESSION

FIRST DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, January 10, 2023

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

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

Lord God, you have brought us together for the beginning of this new legislative session. Over the course of these coming days and weeks, we have the privilege of guiding your people. Give us wisdom, that we might see the needs of your people and how best to address them. Give us encouragement, that we might be sustained in the long hours of work. Help us to know the times to speak and the times to be silent. Watch over us as we travel, that we may be reunited with friends and family and arrive safely back in this chamber. In all that we do, we thank you for this great blessing, that "Under God the People Rule." In the name of Jesus I pray, Amen.

The Pledge of Allegiance was led by House page Keegan Baker.

1 Unless there is an objection, we will place the Secretary of State's certification of members of
2 the House of Representatives for the Ninety-eighth Legislative Session on the record without
3 reading.

4 Hearing no objection, the certification is submitted.

5 I, MONAE L. JOHNSON, Secretary of State of the state of South Dakota, do hereby certify that
6 the elected members of the House of Representatives at the general election held on November 8,
7 2022, were certified on November 15, 2022, or December 1, 2022. I do hereby certify that these
8 are the members of the South Dakota House of Representatives for the 2023 Legislative Session.

9 District No. 1: Brown, Day, Marshall, and Roberts Counties
10 Joe Donnell, Sisseton
11 Tamara St. John, Sisseton

12 District No. 2: Minnehaha County
13 David Kull, Brandon
14 John Sjaarda, Valley Springs

15 District No. 3: Brown County
16 Carl E. Perry, Aberdeen
17 Brandei Schaeffbauer, Aberdeen

18 District No. 4: Clark, Codington, Deuel, Grant, Hamlin, and Roberts Counties
19 Fred Deutsch, Florence
20 Stephanie Sauder, Bryant

21 District No. 5: Codington County
22 Hugh M. Bartels, Watertown
23 Byron Callies, Watertown

24 District No. 6: Lincoln County
25 Aaron Aylward, Harrisburg
26 Ernie Otten, Tea

27 District No. 7: Brookings County
28 Roger DeGroot, Brookings
29 Mellissa Heermann, Brookings

30 District No. 8: Brookings, Kingsbury, Lake, and Miner Counties
31 John Mills, Brookings
32 Tim Reisch, Howard

33 District No. 9: Minnehaha County
34 Bethany Soye, Sioux Falls
35 Kenneth Teunissen, Sioux Falls

36 District No. 10: Minnehaha County
37 Erin Healy, Sioux Falls
38 Kameron Nelson, Sioux Falls

39 District No. 11: Minnehaha County
40 Chris Karr, Sioux Falls
41 Brian Mulder, Sioux Falls

42 District No. 12: Lincoln and Minnehaha Counties
43 Amber Arlint, Sioux Falls
44 Greg Jamison, Sioux Falls

1	District No. 13:	Lincoln and Minnehaha Counties
2		Sue Peterson, Sioux Falls
3		Tony Venhuizen, Sioux Falls
4	District No. 14:	Minnehaha County
5		Taylor Rehfeldt, Sioux Falls
6		Tyler Tordsen Sioux Falls
7	District No. 15:	Minnehaha County
8		Linda K. Duba, Sioux Falls
9		Kadyn Wittman, Sioux Falls
10	District No. 16:	Lincoln, Turner, and Union Counties
11		Kevin D. Jensen, Canton
12		Karla J. Lems, Canton
13	District No. 17:	Clay and Union Counties
14		Chris Kassin, Vermillion
15		William Shorma, Dakota Dunes
16	District No. 18:	Clay and Yankton Counties
17		Julie Auch, Yankton
18		Mike Stevens, Yankton
19	District No. 19:	Bon Homme, Hanson, Hutchinson, McCook, and Turner Counties
20		Jessica Bahmuller, Alexandria
21		Drew Peterson, Salem
22	District No. 20:	Davison, Jerauld, Miner, and Sanborn Counties
23		Lance Koth, Mitchell
24		Ben Krohmer, Mitchell
25	District No. 21:	Aurora, Charles Mix, Douglas, Gregory, and Tripp Counties
26		Rocky Blare, Ideal
27		Marty Overweg, New Holland
28	District No. 22:	Beadle, Clark, and Spink Counties
29		Roger Chase, Huron
30		Lynn Schneider, Huron
31	District No. 23:	Brown, Campbell, Edmunds, Faulk, Hand, McPherson, Potter, and
32		Walworth Counties
33		Scott Moore, Ipswich
34		James D. Wangsness, Miller
35	District No. 24:	Haakon, Hughes, Hyde, Stanley, and Sully Counties
36		Will Mortenson, Pierre
37		Mike Weisgram, Ft. Pierre
38	District No. 25:	Minnehaha and Moody Counties
39		Randy Gross, Elkton
40		Jon Hansen, Dell Rapids
41	District No. 26A:	Jones, Mellette, and Todd Counties
42		Eric E. Emery, Rosebud
43	District No. 26B:	Brule, Buffalo, Hughes, Hyde, Jones, and Lyman Counties
44		Rebecca Reimer, Chamberlain

1	District No. 27:	Bennett, Jackson, Oglala Lakota, and Pennington Counties
2		Liz May, Kyle
3		Peri Pourier, Rapid City
4	District No. 28A:	Corson, Dewey, Perkins, and Ziebach Counties
5		Oren L. Lesmeister, Parade
6	District No. 28B:	Butte, Harding, and Perkins Counties
7		Neal Pinnow, Lemmon
8	District No. 29:	Meade County
9		Gary L. Cammack, Union Center
10		Kirk Chaffee, Whitewood
11	District No. 30:	Custer, Fall River, and Pennington Counties
12		Dennis Krull, Hill City
13		Trish Ladner, Hot Springs
14	District No. 31:	Lawrence County
15		Mary J. Fitzgerald, Spearfish
16		Scott Odenbach, Spearfish
17	District No. 32:	Pennington County
18		Steve Duffy, Rapid City
19		Becky J. Drury, Rapid City
20	District No. 33:	Meade and Pennington Counties
21		Phil Jensen, Rapid City
22		Curt Massie, Rapid City
23	District No. 34:	Pennington County
24		Mike Derby, Rapid City
25		Jess Olson, Rapid City
26	District No. 35:	Pennington County
27		Tina L. Mulally, Rapid City
28		Tony Randolph, Rapid City

29 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the state
 30 of South Dakota, this 10th day of January 2023.

31 Monae L. Johnson
 32 Secretary of State

33 I, MONAE L. JOHNSON, Secretary of State of the state of South Dakota, do hereby certify that
 34 on the seventh day of January, A.D., two thousand twenty three, at the hour of twelve o'clock
 35 meridian, the Honorable Steven R. Jensen, Chief Justice of the Supreme Court of the state of South
 36 Dakota, in the rotunda of the Capitol Building, at the seat of state government in Pierre and in the
 37 presence of the legislators there assembled, administered the oath of office to the following state
 38 constitutional and public utilities commissioner officers-elect which was subscribed to and placed on
 39 file in the office of the Secretary of State of the state of South Dakota:

- 40 Governor – Kristi Noem
- 41 Lieutenant Governor – Larry Rhoden
- 42 Secretary of State – Monae L. Johnson
- 43 Attorney General – Marty J. Jackley

- 1 State Auditor – Richard L. Sattgast
- 2 State Treasurer – Josh Haeder
- 3 Commissioner of School and Public Lands – Brock Greenfield
- 4 Public Utilities Commissioner – Chris Nelson

5 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the state
 6 of South Dakota this 7th day of January 2023.

7 Monae L. Johnson
 8 Secretary of State

9 I, Monae L. Johnson, Secretary of the state of South Dakota, do hereby certify that the following
 10 members of the House of Representatives of the State of South Dakota for the term 2023-2024
 11 were administered the oath of office at 11:00 a.m. on the seventh day of January, 2023, in the
 12 House Chamber, at the seat of government in Pierre by the Honorable Steven R. Jensen, Chief
 13 Justice of the Supreme Court of the state of South Dakota and subscribed to the same and that such
 14 oath is now on file in the office of the Secretary of State of South Dakota:

- | | | |
|----|------------------|----------------------|
| 15 | Amber Arlint | Julie K. Auch |
| 16 | Hugh M. Bartels | Byron I. Callies |
| 17 | Gary Cammack | Kirk Chaffee |
| 18 | Roger Chase | Roger DeGroot |
| 19 | Mike Derby | Becky J. Drury |
| 20 | Steve Duffy | Mary J. Fitzgerald |
| 21 | Erin Healy | Mellissa Heermann |
| 22 | Chris Kassin | Dennis Krull |
| 23 | David Kull | Trish Ladner |
| 24 | Karla J. Lems | Curt Massie |
| 25 | Scott Moore | Tina L. Mulally |
| 26 | Brian Mulder | Kameron Nelson |
| 27 | Jess Olson | Marty Overweg |
| 28 | Carl E. Perry | Drew Peterson |
| 29 | Sue Peterson | Tim Reisch |
| 30 | Stephanie Sauder | Brandei Schaeftbauer |
| 31 | Lynn Schneider | William Shorma |
| 32 | John Sjaarda | Tamara St. John |
| 33 | Mike Stevens | Kenneth Teunissen |
| 34 | Tyler Tordsen | James D. Wangsness |
| 35 | Mike Weisgram | Kadyn Wittman |

36 IN TESTIMONY WHEREOF, I have set my hand and affixed the Great Seal of the State of South
 37 Dakota this 10th day of January 2023.

38 Monae L. Johnson
 39 Secretary of State

1 I, Monae L. Johnson, Secretary of State of the state of South Dakota, do hereby certify that
 2 the following representatives were not present January 7, 2023, for the swearing-in ceremonies or
 3 have yet to take the oath of office:

4	Aaron Aylward	Jessica Bahmuller
5	Rocky Blare	Fred Deutsch
6	Joe Donnell	Linda Duba
7	Eric E. Emery	Randy Gross
8	Jon Hansen	Greg Jamison
9	Kevin D. Jensen	Phil Jensen
10	Chris Karr	Lance R. Koth
11	Ben Krohmer	Oren L. Lesmeister
12	Liz May	John Mills
13	Will Mortenson	Scott Odenbach
14	Ernie Otten	Neal Pinnow
15	Peri Pourier	Tony Randolph
16	Taylor Rehfeldt	Rebecca Reimer
17	Bethany Soye	Tony Venhuizen

18 IN TESTIMONY WHEREOF, I have set my hand and affixed the Great Seal of the State of South
 19 Dakota this 10th day of January 2023.

20
 21 Monae L. Johnson
Secretary of State

22 The oath of office was administered by the Honorable Steven R. Jensen, Chief Justice of the
 23 Supreme Court of the state of South Dakota to the following Representatives:

24	Aaron Aylward	Jessica Bahmuller
25	Rocky Blare	Fred Deutsch
26	Joe Donnell	Linda Duba
27	Eric E. Emery	Randy Gross
28	Jon Hansen	Greg Jamison
29	Kevin D. Jensen	Phil Jensen
30	Chris Karr	Lance R. Koth
31	Ben Krohmer	Oren L. Lesmeister
32	Liz May	John Mills
33	Will Mortenson	Scott Odenbach
34	Ernie Otten	Neal Pinnow
35	Peri Pourier	Tony Randolph
36	Taylor Rehfeldt	Rebecca Reimer
37	Bethany Soye	Tony Venhuizen

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

39 When the roll was called, all members were present except Rep. Olson who was excused.

40 **MOTIONS AND RESOLUTIONS**

41 Rep. Mortenson moved that the House proceed with the election of officers of the House of
 42 Representatives and that Rep. Bartels be elected Speaker of the House of Representatives for the
 43 2023-2024 legislative term.

1 The presiding officer asked if there were any further nominations.

2 There being no further nominations, the presiding officer stated that those in favor of Rep.
3 Bartels shall vote AYE and those opposed shall vote NAY.

4 And the roll being called:

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

6 Yeas: Arlint, Auch, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby,
7 Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Healy, Heermann, Jamison, Kevin Jensen,
8 Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lesmeister, Massie, Moore, Mortenson, Mulder, Nelson,
9 Odenbach, Ernie Otten, Perry, Drew Peterson, Pinnow, Rehfeldt, Reisch, Sauder, Schaeffbauer,
10 Schneider, Shorma, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram,
11 Wittman, and Speaker Bartels

12 Nays: Aylward, Gross, Hansen, Phil Jensen, Karr, Lems, May, Mills, Mulally, Overweg, Sue
13 Peterson, Randolph, Sjaarda, and Soye

14 Excused: Olson, Pourier, and Reimer

15 Rep. Bartels having received an affirmative vote of a majority of the members-elect, was
16 declared to be the duly elected Speaker of the House of Representatives for the 2023-2024
17 legislative term.

18 Reps. Mortenson, Lesmeister, Stevens, Rehfeldt, and Healy escorted Rep. Bartels to the
19 rostrum.

20 The oath of office was administered to Rep. Bartels, Speaker of the House of Representatives,
21 by the Honorable Steven R. Jensen, Chief Justice of the Supreme Court of the state of South Dakota.

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

23 Ms. Monae Johnson, Secretary of State, turned the gavel over to Speaker Bartels.

24 Speaker Bartels now presiding.

25 The Speaker announced that nominations for Speaker Pro Tempore of the House of
26 Representatives were now in order.

27 Rep. Mortenson moved that Rep. Stevens be elected Speaker Pro Tempore of the House of
28 Representatives for the 2023-2024 legislative term.

29 And the roll being called:

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

31 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot,
32 Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann,
33 Jamison, Kevin Jensen, Phil Jensen, Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,
34 Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Ernie Otten,
35 Overweg, Perry, Drew Peterson, Sue Peterson, Pinnow, Pourier, Randolph, Rehfeldt, Reisch, Sauder,

1 Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen,
2 Wangness, Weisgram, Wittman, and Speaker Bartels

3 Excused: Olson and Reimer

4 Rep. Stevens having received an affirmative vote of a majority of the members-elect, was
5 declared to be the duly elected Speaker Pro Tempore of the House of Representatives for the
6 2023-2024 legislative term.

7 Reps. Mortenson, Lesmeister, Rehfeldt, and Healy escorted Rep. Stevens to the rostrum.

8 The oath of office was administered to Rep. Stevens, Speaker Pro Tempore of the House of
9 Representatives, by the Honorable Steven R. Jensen, Chief Justice of the Supreme Court of the state
10 of South Dakota.

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

12 The Speaker announced that nominations for Chief Clerk of the House of Representatives were
13 now in order.

14 Rep. Mortenson nominated Ms. Patricia Miller as Chief Clerk of the House of Representatives
15 for the Ninety-eighth Legislative Session.

16 And the roll being called:

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

18 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot,
19 Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann,
20 Jamison, Kevin Jensen, Phil Jensen, Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,
21 Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Ernie Otten,
22 Overweg, Perry, Drew Peterson, Sue Peterson, Pinnow, Pourier, Randolph, Rehfeldt, Reimer, Reisch,
23 Sauder, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen,
24 Venhuizen, Wangness, Weisgram, Wittman, and Speaker Bartels

25 Excused: Olson

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

28 The oath of office was administered to Ms. Miller by the Honorable Steven R. Jensen, Chief
29 Justice of the Supreme Court of the state of South Dakota.

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

31 Unless there is an objection, we will waive the reading of the appointments of the employees
32 of the House of Representatives for the Ninety-eighth Legislative Session.

-
- 1 Speaker Bartels announced the appointment of the following employees of the House of
2 Representatives for the Ninety-eighth Legislative Session:
- 3 Assistant to the Chief Clerk – Mary Beth Favel
- 4 Assistant to the Chief Clerk – Judy Page
- 5 Assistant to the Chief Clerk – Shirleen Fugitt
- 6 Chief Chaplain – Craig Wexler
- 7 Sergeant at Arms – James Smith
- 8 Assistant Sergeant at Arms – Rollie Borth
- 9 Secretary to the Majority Party – Tamara Kintz
- 10 Appropriations Secretary – Leonard Chick
- 11 Committee Secretaries – Julianne Graham, Pam Kean, Mary Stewart, Janelle Toman
- 12 Pages (1st Term) – Keegan Baker, Rebecca Feldhaus, Tesfanesh Feldkamp, Samantha Hegge,
13 Cheyenne Hunnewell, Kaylee Morehead, Harlee Nielson, Katelyn Spracklin
- 14 Pages (2nd Term) – Ashley Bondesen, Ainsley Brink, Savannah Hendricks, Gavin Jacobson, Skye
15 Kotalik, Drew Reetz, Taylor Reisch, Jada Sandvall, Karlie Ten Eyck, William Thuringer,
16 Alexander Vonderau
- 17 Pages (3rd Term) – Alaceyia Adams, Quinn Alt, Robert Arnold, Margaret Beaner, Alexandria
18 Cutler, Harlee Heim, Isabelle Mairose, Jesse Newton, Cohan Pietz, Grace Sargent, Skylar
19 Vig, Isaac Weinheimer, Paige Westergren, Brone Zajicek
- 20 Pages (4th Term) – Taya Chelmo, Aida Desaulniers, Kathryn Doom, Emma Forster, Nicolette
21 Hoffman, Angelina Lockett, Benjamin Lust, Karina Novotny, Sara Peterson, Keeleigh
22 Reis-Elwood, Jacob Smiley, Malachi Swift
- 23 Pages (5th Term) – Katelyn Engelhart, Abiah George, Madelyn Hinkelman, Maxwell Kelsey,
24 Addison Keucker, Nicholas Maas, Charlie Prien, Reese Schmidt, Breanna Wollman
- 25 Legislative Interns – Quinn Bormann, Kieran Duffy, Ally Feiner, Connor Hansen, Hailey Harkin,
26 Marissa Kjorness, Brian Lewis, Jack Maher, Avery Palsma, Griffin Petersen, James Sapp,
27 Abbie Schneider, Cassidy Vanden Hoek
- 28 The oath of office was administered by the Honorable Steven R. Jensen, Chief Justice of the
29 Supreme Court of the state of South Dakota, to the following named employees:
- 30 Assistant to the Chief Clerk – Mary Beth Favel
- 31 Assistant to the Chief Clerk – Judy Page
- 32 Assistant to the Chief Clerk – Shirleen Fugitt
- 33 Sergeant at Arms – James Smith
- 34 Assistant Sergeant at Arms – Rollie Borth
- 35 Secretary to the Majority Party – Tamara Kintz

-
- 1 Appropriations Secretary – Leonard Chick
- 2 Committee Secretaries – Julianne Graham, Pam Kean, Mary Stewart, Janelle Toman
- 3 Pages – Keegan Baker, Rebecca Feldhaus, Tesfanesh Feldkamp, Samantha Hegge, Cheyenne
4 Hunnewell, Kaylee Morehead, Harlee Nielson, Katelyn Spracklin
- 5 Legislative Interns – Quinn Bormann, Kieran Duffy, Ally Feiner, Connor Hansen, Hailey Harkin,
6 Marissa Kjorness, Brian Lewis, Jack Maher, Avery Palsma, Griffin Petersen, James Sapp,
7 Abbie Schneider, Cassidy Vanden Hoek
- 8 Which were subscribed to and placed on file in the office of the Secretary of State.
- 9 There being no objection, the House reverted to Order of Business No. 4 – Communications
10 and Petitions.

11 **COMMUNICATIONS AND PETITIONS**

12 Mr. Speaker:

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

17 Also, Mr. Speaker:

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

21 That the Senate and the House will convene in Joint Session in the Chamber of the House of
22 Representatives at 1:00 p.m., January 10, 2023.

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

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

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

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

29 Also, Mr. Speaker:

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

33 That the Senate and the House convene in Joint Session in the Chamber of the House of
34 Representatives at 1:30 p.m., January 11, 2023.

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

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

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

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

5 Also, Mr. Speaker:

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

9 That the Senate and the House convene in Joint Session in the Chamber of the House of
10 Representatives at 1:30 p.m., January 12, 2023.

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

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

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

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

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

20 **** Denotes Chair** *** Denotes Vice-Chair**

21 **AGRICULTURE & NATURAL RESOURCES (13)**

22 ****Chase, *Overweg**, Auch, Gross, Ladner, Lems, Peterson (Drew), Sauder, Schneider,
23 Sjaarda, St. John, Wangsness, Wittman

24 **APPROPRIATIONS (9)**

25 ****Derby, *Venhuizen**, Karr, Kassin, Koth, Krull, Mills, Otten, Duba

26 **COMMERCE & ENERGY (13)**

27 ****Weisgram, *Perry**, Arlint, Bahmuller, Callies, Donnell, Duffy, Krohmer, Mulally, Pinnow,
28 Schneider, Shorma, Nelson

29 **EDUCATION (15)**

30 ****Stevens, *Deutsch**, Arlint, Callies, DeGroot, Heermann, Jensen (Phil), Moore, Mulder,
31 Odenbach, Reisch, Sauder, Soye, Tordsen, Emery

32 **GOVERNMENT OPERATIONS & AUDIT (5)**

33 ****Otten (Ernie), *Bartels**, Peterson (Drew), Reisch, Duba

1

HEALTH & HUMAN SERVICES (13)

2

****Jensen (Kevin), *Rehfeldt,** Cammack, Deutsch, Donnell, Heermann, Kull, Moore, Mulder,
3 Schaeftbauer, Weisgram, Healy, Nelson

4

JUDICIARY (13)

5

****Hansen, *Stevens,** Fitzgerald, Kull, Massie, Odenbach, Reimer, Reisch, Soye, St. John,
6 Teunissen, Tordsen, Pourier

7

LEGISLATIVE PROCEDURE (7)

8

****Bartels, *Stevens,** Cammack, Mortenson, Rehfeldt, Venhuizen, Healy

9

LOCAL GOVERNMENT (13)

10

****Drury, *Fitzgerald,** Auch, Aylward, Bahmuller, Jamison, Ladner, Lems, Olson, Overweg,
11 Peterson (Sue), Sjaarda, Wittman

12

MILITARY AND VETERANS AFFAIRS (13)

13

****Reisch, *Teunissen,** Auch, Aylward, Callies, Deutsch, Drury, Gross, Moore, Sauder,
14 Shorma, Wangsness, Pourier

15

RETIREMENT LAWS (5)

16

****Bartels, *Weisgram,** Perry, Pinnow, Duba

17

STATE AFFAIRS (13)

18

****Mortenson, *Rehfeldt,** Bartels, Blare, Cammack, Chaffee, Chase, Drury, Hansen, Reimer,
19 Wangsness, Healy, Lesmeister

20

TAXATION (13)

21

****Chaffee, *Olson,** Aylward, DeGroot, Jamison, Jensen (Phil), Massie, May, Perry,
22 Peterson (Sue), Pinnow, Randolph, Pourier

23

TRANSPORTATION (13)

24

****Blare, *Gross,** Duffy, Jensen (Kevin), Krohmer, May, Mulally, Peterson (Drew), Randolph,
25 Schaeftbauer, Shorma, Teunissen, Emery

26

MOTIONS AND RESOLUTIONS

27

Rep. Mortenson moved that the permanent joint rules of the Ninety-seventh Legislative Session
28 with the recommended changes to those joint rules for the Ninety-eighth Legislative Session as
29 adopted in March, 2022, be adopted as the temporary joint rules for the Ninety-eighth Legislative
30 Session.

31

The question being on Rep. Mortenson's motion that the permanent joint rules of the Ninety-
32 seventh Legislative Session with the recommended changes to those joint rules for the Ninety-eighth
33 Legislative Session as adopted in March, 2022, be adopted as the temporary joint rules for the
34 Ninety-eighth Legislative Session.

1 And the roll being called:

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

3 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot,
4 Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann,
5 Jamison, Kevin Jensen, Phil Jensen, Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,
6 Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Ernie Otten,
7 Overweg, Perry, Drew Peterson, Sue Peterson, Pinnow, Pourier, Randolph, Rehfeldt, Reimer, Reisch,
8 Sauder, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen,
9 Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

10 Excused: Olson

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

13 Rep. Mortenson moved that the permanent rules of the House of Representatives for the
14 Ninety-seventh Legislative Session be adopted as the temporary House rules for the Ninety-eighth
15 Legislative Session.

16 The question being on Rep. Mortenson's motion that the permanent rules of the House of
17 Representatives for the Ninety-seventh Legislative Session be adopted as the temporary House rules
18 for the Ninety-eighth Legislative Session.

19 And the roll being called:

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

21 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot,
22 Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann,
23 Jamison, Kevin Jensen, Phil Jensen, Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,
24 Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Ernie Otten,
25 Overweg, Perry, Drew Peterson, Sue Peterson, Pinnow, Pourier, Randolph, Rehfeldt, Reimer, Reisch,
26 Sauder, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen,
27 Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

28 Excused: Olson

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

31 Rep. Mortenson moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
32 Wednesday, January 11, 2023, the 2nd legislative day.

33 Which motion prevailed.

34 Rep. Mortenson moved that a committee of five on the part of the House be appointed to meet
35 with a committee of five on the part of the Senate to arrange for a memorial recognition of deceased
36 former members of the House and Senate.

37 Which motion prevailed and the Speaker appointed as such committee Reps. Stevens (Chair),
38 Hansen, Schneider, Schaeftbauer, and Lesmeister.

1

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

2

HB 1001: FOR AN ACT ENTITLED, An Act to allow the Government Operations and Audit Committee to issue subpoenas without Executive Board approval.

3

4

Introduced by: **Representatives** Ernie Otten, Duba, Gross, and Karr and **Senators** Hunhoff, Schoenfish, and Wheeler at the request of the Government Operations & Audit

5

6

HB 1002: FOR AN ACT ENTITLED, An Act to update the official code of laws.

7

Introduced by: The Committee on Judiciary at the request of the Code Commission

8

HB 1003: FOR AN ACT ENTITLED, An Act to repeal provisions requiring prison or jail cost estimates and to declare an emergency.

9

10

Introduced by: **Representative** Bartels and **Senator** Schoenbeck at the request of the Executive Board

11

12

HB 1004: FOR AN ACT ENTITLED, An Act to update a reference to the Internal Revenue Code for purposes of higher education savings plans.

13

14

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

15

HB 1005: FOR AN ACT ENTITLED, An Act to update certain citations to federal regulations regarding pipeline safety inspections.

16

17

Introduced by: The Committee on Commerce and Energy at the request of the South Dakota Public Utilities Commission

18

19

HB 1006: FOR AN ACT ENTITLED, An Act to increase the funding for construction of an addition to the Kinsman Building in Pierre, to make an appropriation therefor, and to declare an emergency.

20

21

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

22

23

HB 1007: FOR AN ACT ENTITLED, An Act to add emergency medical services personnel to Class B public safety membership of the South Dakota Retirement System.

24

25

Introduced by: The Committee on Retirement Laws at the request of the South Dakota Retirement System

26

27

HB 1008: FOR AN ACT ENTITLED, An Act to revise provisions relating to actuarial terminology used by the South Dakota Retirement System.

28

29

Introduced by: The Committee on Retirement Laws at the request of the South Dakota Retirement System

30

31

HB 1009: FOR AN ACT ENTITLED, An Act to update and clarify certain provisions relating to the South Dakota Retirement System.

32

33

Introduced by: The Committee on Retirement Laws at the request of the South Dakota Retirement System

34

35

HB 1010: FOR AN ACT ENTITLED, An Act to repeal the sunset date for provisions related to the licensure of behavior analysts.

36

37

Introduced by: The Committee on Health and Human Services at the request of the Board of Social Work Examiners

38

1 **HB 1011:** FOR AN ACT ENTITLED, An Act to revise employer contribution rates.

2 Introduced by: The Committee on Commerce and Energy at the request of the Department of
3 Labor and Regulation

4 **HB 1012:** FOR AN ACT ENTITLED, An Act to repeal the annual grievance reporting
5 requirements for health carriers.

6 Introduced by: The Committee on Commerce and Energy at the request of the Department of
7 Labor and Regulation

8 **HB 1013:** FOR AN ACT ENTITLED, An Act to update references to certain federal motor carrier
9 regulations.

10 Introduced by: The Committee on Transportation at the request of the Department of Public
11 Safety

12 **HB 1014:** FOR AN ACT ENTITLED, An Act to update provisions related to the licensure of
13 speech-language pathologists and speech-language pathology assistants.

14 Introduced by: The Committee on Health and Human Services at the request of the Board of
15 Examiners for Speech-Language Pathology

16 **HB 1015:** FOR AN ACT ENTITLED, An Act to update provisions related to the licensure of
17 funeral directors and the provision of funeral services.

18 Introduced by: The Committee on Health and Human Services at the request of the Department
19 of Health

20 **HB 1016:** FOR AN ACT ENTITLED, An Act to authorize the South Dakota Department of
21 Corrections to construct a prison facility for offenders committed to the Department of Corrections
22 in Rapid City, to make an appropriation therefor, and to declare an emergency.

23 Introduced by: The Joint Committee on Appropriations at the request of the Department of
24 Corrections

25 **HB 1017:** FOR AN ACT ENTITLED, An Act to authorize the Department of Corrections to
26 purchase certain real property, to contract for the design of a prison facility for offenders committed
27 to the Department of Corrections, to make an appropriation therefor, to transfer funds to the
28 incarceration construction fund, and to declare an emergency.

29 Introduced by: The Joint Committee on Appropriations at the request of the Department of
30 Corrections

31 **HB 1018:** FOR AN ACT ENTITLED, An Act to repeal the authorized forfeiture of property used
32 in the illegal capture of fish.

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

35 **HB 1019:** FOR AN ACT ENTITLED, An Act to repeal certain requirements for Game, Fish and
36 Parks licensing agents.

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

1 **HB 1020:** FOR AN ACT ENTITLED, An Act to provide for the sale of certain surplus real estate
2 in Rapid City to Pennington County and to provide for the deposit of the proceeds.

3 Introduced by: The Joint Committee on Appropriations at the request of the Department of
4 Corrections

5 **HB 1021:** FOR AN ACT ENTITLED, An Act to make an appropriation to the State Conservation
6 Commission and to declare an emergency.

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

9 **HB 1022:** FOR AN ACT ENTITLED, An Act to make an appropriation for increased costs related
10 to the construction of the new state public health laboratory, and to declare an emergency.

11 Introduced by: The House Committee on Appropriations at the request of the Department of
12 Health

13 **HB 1023:** FOR AN ACT ENTITLED, An Act to make an appropriation for the construction of a
14 maintenance shop for the Wildland Fire Suppression Division in Rapid City and to declare an
15 emergency.

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

18 **HB 1024:** FOR AN ACT ENTITLED, An Act to make an appropriation for the construction of a
19 maintenance shop for the Wildland Fire Suppression Division in Hot Springs and to declare an
20 emergency.

21 Introduced by: The House Committee on Appropriations at the request of the Department of
22 Public Safety

23 **HB 1025:** FOR AN ACT ENTITLED, An Act to revise the fees for registration of an apiary.

24 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
25 Department of Agriculture and Natural Resources

26 **HB 1026:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to
27 suppression of wildfires in the state and to declare an emergency.

28 Introduced by: The House Committee on Appropriations at the request of the Department of
29 Public Safety

30 **HB 1027:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to
31 disasters in the state and to declare an emergency.

32 Introduced by: The House Committee on Appropriations at the request of the Department of
33 Public Safety

34 **HB 1028:** FOR AN ACT ENTITLED, An Act to modify expiration dates and enforcement actions
35 pertaining to pesticide applicator licenses.

36 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
37 Department of Agriculture and Natural Resources

38 **HB 1029:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the county
39 zoning and appeals process.

40 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
41 Department of Agriculture and Natural Resources

1 **HB 1030:** FOR AN ACT ENTITLED, An Act to make an appropriation for the revised construction
2 costs of the bioproducts facility in Brookings, and to declare an emergency.

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

4 **HB 1031:** FOR AN ACT ENTITLED, An Act to make an appropriation for the revised construction
5 costs of the dairy research and extension farm at South Dakota State University, and to declare an
6 emergency.

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

8 **HB 1032:** FOR AN ACT ENTITLED, An Act to make an appropriation for the demolition and
9 reconstruction of agricultural-use structures at South Dakota State University, and to declare an
10 emergency.

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

12 **HB 1033:** FOR AN ACT ENTITLED, An Act to provide for the uniform administration of tobacco
13 products taxes.

14 Introduced by: The Committee on Commerce and Energy at the request of the Department of
15 Revenue

16 **HB 1034:** FOR AN ACT ENTITLED, An Act to modify tax refunds for elderly persons and persons
17 with a disability, to make an appropriation therefor, and to declare an emergency.

18 Introduced by: The House Committee on Appropriations at the request of the Department of
19 Revenue

20 **HB 1035:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of
21 Revenue for the modernization of the motor vehicle administration system, and to declare an
22 emergency.

23 Introduced by: The House Committee on Appropriations at the request of the Department of
24 Revenue

25 **HB 1036:** FOR AN ACT ENTITLED, An Act to increase civil penalties for commercial driver's
26 license holders and motor carriers.

27 Introduced by: The Committee on Transportation at the request of the Department of Public
28 Safety

29 **HB 1037:** FOR AN ACT ENTITLED, An Act to amend the eligibility for admission to the state
30 veterans' home and repeal the residency requirement.

31 Introduced by: The Committee on Military and Veterans Affairs at the request of the
32 Department of Veterans Affairs

33 **HB 1038:** FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to the
34 Department of Veterans Affairs and residency in the State Veterans Home.

35 Introduced by: The Committee on Military and Veterans Affairs at the request of the
36 Department of Veterans Affairs

37 **HB 1039:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the payment
38 of tuition for members of the South Dakota National Guard.

39 Introduced by: The Committee on Military and Veterans Affairs at the request of the
40 Department of the Military

1 **HB 1040:** FOR AN ACT ENTITLED, An Act to reduce the time in which certain civil actions may
2 be commenced.

3 Introduced by: **Representative** Blare

4 **HB 1041:** FOR AN ACT ENTITLED, An Act to provide an exception to the definition of drug
5 paraphernalia.

6 Introduced by: **Representative** Rehfeldt

7 **HB 1042:** FOR AN ACT ENTITLED, An Act to update additional charges allowed for mailing
8 decals and plates and to declare an emergency.

9 Introduced by: **Representative** Ernie Otten

10 **HB 1043:** FOR AN ACT ENTITLED, An Act to make an exemption from certain property taxation
11 for owner-occupied single-family dwellings.

12 Introduced by: **Representatives** Ladner, Cammack, Derby, Koth, and Lesmeister and
13 **Senators** Jack Kolbeck, Castleberry, Crabtree, and Zikmund at the request of the Study Committee
14 on Property Tax Structure and Tax Burden

15 **HB 1044:** FOR AN ACT ENTITLED, An Act to make an appropriation to fund scholarships for
16 individuals entering into the behavioral health field.

17 Introduced by: **Representatives** Rehfeldt, Deutsch, Healy, Ernie Otten, and Stevens and
18 **Senators** Tobin, Reed, Schoenfish, and Wheeler at the request of the Study Committee on Juvenile
19 Justice

20 **HB 1045:** FOR AN ACT ENTITLED, An Act to increase the basic salary schedule for county
21 veterans' service officers.

22 Introduced by: The Committee on Military and Veterans Affairs at the request of the
23 Department of Veterans Affairs

24 **HB 1046:** FOR AN ACT ENTITLED, An Act to provide free tuition at Board of Technical
25 Education institutions for children or spouses of members of the South Dakota National Guard
26 disabled or deceased in the line of duty.

27 Introduced by: The Committee on Military and Veterans Affairs at the request of the
28 Department of Veterans Affairs

29 **HB 1047:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding military affairs.

30 Introduced by: The Committee on Military and Veterans Affairs at the request of the
31 Department of the Military

32 **HB 1048:** FOR AN ACT ENTITLED, An Act to repeal and make technical changes to provisions
33 regarding the Board of Military Affairs.

34 Introduced by: **Representative** Bahmuller

35 **HB 1049:** FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal
36 year 2023.

37 Introduced by: The House Committee on Appropriations at the request of the Bureau of Finance
38 and Management

1 brought us together today. You have brought us away from the tree-forts and playgrounds
2 we grew up on, and you have shaped us into being representatives of our peers. You have
3 crafted us into Representatives, Senators, Judges, soldiers, officers, administrators, cabinet
4 members—and even the Governor!

5 Who knew, as children, how you would bring the changes in our lives to lead us into
6 the vocations we have been elected into this day. Help us, as we embark upon our tasks,
7 to be role models for everyone else. Remind us of these words in our Psalm—remind us
8 that You are our help—remind us that You are our creator—our protector—our guide—
9 our compass—our voice—You have crafted our entire being. Help us to believe in Your
10 infinite wisdom, and bestow upon us Your compassion, love, and mercy, so that we too,
11 can share Your virtue upon others in the work that we have been called to do. Give us Your
12 peace that surpasses all understanding. We pray this in the name of Your Son, Jesus Christ,
13 our Savior and Lord. Amen!

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

16 Beal; Bolin; Bordeaux; Breitling; Castleberry; Crabtree; Davis; Deibert; Diedrich; Duhamel;
17 Foster; Frye-Mueller; Hoffman; Hunhoff; Johnson; Klumb; Kolbeck (Jack); Kolbeck (Steve); Larson;
18 Maher; Mehlhaff; Nesiba; Novstrup; Otten (Herman); Pischke; Reed; Rohl; Schoenbeck;
19 Schoenfish; Stalzer; Tobin; Wheeler; Wiik; Wink; Zikmund

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

22 Arlint; Auch; Aylward; Bahmuller; Blare; Callies; Cammack; Chaffee; Chase; DeGroot; Derby;
23 Deutsch; Donnell; Drury; Duba; Duffy; Emery; Fitzgerald; Gross; Hansen; Healy; Heermann;
24 Jamison; Jensen (Kevin); Jensen (Phil); Karr; Kassin; Koth; Krohmer; Krull; Kull; Ladner; Lems;
25 Lesmeister; Massie; May; Mills; Moore; Mortenson; Mulally; Mulder; Nelson; Odenbach;
26 Otten (Ernie); Overweg; Perry; Peterson (Drew); Peterson (Sue); Pinnow; Pourier; Randolph;
27 Rehfeldt; Reimer; Reisch; Sauder; Schaefbauer; Schneider; Shorma; Sjaarda; Soye; St. John;
28 Stevens; Teunissen; Tordsen; Venhuizen; Wangsness; Weisgram; Wittman; Speaker Bartels.

29 Sen. Crabtree moved that a committee of three on the part of the Senate and a committee of
30 five on the part of the House be appointed to escort the Honorable Kristi Noem, Governor of the
31 State of South Dakota, to the rostrum.

32 Which motion prevailed and the President announced as such committee Sens. Schoenbeck,
33 Crabtree, and Nesiba on the part of the Senate and Reps. Stevens, Mortenson, Rehfeldt, Lesmeister
34 and Healy on the part of the House.

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

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

39 Sen. Crabtree moved that the Joint Session do now dissolve.

40 Which motion prevailed.