

JOURNAL OF THE HOUSE

NINETY-EIGHTH SESSION

FIFTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, January 17, 2023

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

The prayer was offered by the Chaplain, Emily Munger, followed by the Pledge of Allegiance led by House page Cheyenne Hunnewell.

Roll Call: All members present except Reps. Pourier and Weisgram who were excused.

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 4th 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,
Hugh M. Bartels, Chair

1

REPORTS OF STANDING COMMITTEES

2 Mr. Speaker:

3 The Committee on House Transportation respectfully reports that it has had under
4 consideration **HB 1013** and returns the same with the recommendation that said bill do pass, and
5 having been certified as uncontested, be placed on the consent calendar.

6 Also Mr. Speaker:

7 The Committee on House Transportation respectfully reports that it has had under
8 consideration **HB 1036** and returns the same with the recommendation that said bill be amended
9 as follows:

10

1036A

11 On page 1, line 7, of the Introduced bill, after "thousand " insert "nineteen thousand three
12 hundred eighty-nine"

13 On page 1, line 17, of the Introduced bill, after "thousand " insert "seven hundred forty"

14 On page 1, line 18, of the Introduced bill, after "thousand " insert "seven thousand four
15 hundred eighty-one "

16 On page 1, line 22, of the Introduced bill, after "thousand " insert "seven hundred fifty-five"

17 On page 2, line 1, of the Introduced bill, after "thousand" insert " thirty-seven thousand four
18 hundred "

19 And that as so amended, **HB 1036** do pass.

20

Respectfully submitted,
Rocky Blare, Chair

21

22 Mr. Speaker:

23 The Committee on House Health and Human Services respectfully reports that it has had under
24 consideration **HB 1014 and 1015** and returns the same with the recommendation that said bills
25 do pass.

26 Also Mr. Speaker:

27 The Committee on House Health and Human Services respectfully reports that it has had under
28 consideration **HB 1010** and returns the same with the recommendation that said bill do pass, and
29 having been certified as uncontested, be placed on the consent calendar.

30

Respectfully submitted,
Kevin D. Jensen, Chair

31

1 Mr. Speaker:

2 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
3 under consideration **HB 1018 and 1019** and returns the same with the recommendation that said
4 bills do pass, and having been certified as uncontested, be placed on the consent calendar.

5 Respectfully submitted,
6 Roger Chase, Chair

7 Mr. Speaker:

8 The Committee on House Local Government respectfully reports that it has had under
9 consideration **HB 1057** and returns the same with the recommendation that said bill do pass.

10 Respectfully submitted,
11 Becky J. Drury, Chair

12 **MESSAGES FROM THE SENATE**

13 Mr. Speaker:

14 I have the honor to transmit herewith **SB 2, 6, and 41** which have passed the Senate and
15 your favorable consideration is respectfully requested.

16 Respectfully,
17 Kay Johnson, Secretary

18 **MOTIONS AND RESOLUTIONS**

19 Rep. Mortenson moved that consideration of the report of the Standing Committee on House
20 Legislative Procedure as found on page 32 of the House Journal be deferred to Wednesday,
21 January 18, 2023, the 6th legislative day.

22 Which motion prevailed.

23 Rep. Mortenson moved that consideration of the report of the Standing Committee on Joint
24 Legislative Procedure as found on page 35 of the House Journal be deferred to Wednesday,
25 January 18, 2023, the 6th legislative day.

26 Which motion prevailed.

27 **CONSIDERATION OF REPORTS OF COMMITTEES**

28 Rep. Mortenson moved that the report of the Standing Committee on

29 Commerce and Energy on **HB 1011** as found on page 32 of the House Journal be adopted.

30 Which motion prevailed and the report was adopted.

1

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

2

HB 1068: FOR AN ACT ENTITLED, An Act to prohibit deceptive practices in the advertising and sale of food products as meat and poultry.

3

4

Introduced by: **Representative** Perry

5

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

6

HB 1070: FOR AN ACT ENTITLED, An Act to create the Center for American Exceptionalism at Black Hills State University, make an appropriation therefor, and declare an emergency.

7

8

Introduced by: **Representative** Odenbach

9

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

10

HB 1078: FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of Human Services for the development and expansion of adult day services programs and to declare an emergency.

11

12

13

Introduced by: **Representative** Rehfeldt

14

HB 1079: FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of Health to provide grants to support mental health and suicide prevention programs, and to declare an emergency.

15

16

17

Introduced by: **Representative** Rehfeldt

18

HB 1080: FOR AN ACT ENTITLED, An Act to prohibit certain medical and surgical interventions on minor patients.

19

20

Introduced by: **Representative** Soye

21

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

22

HB 1067: FOR AN ACT ENTITLED, An Act to provide for a rebuttable presumption of intent to distribute methamphetamine when in possession of more than five grams.

23

24

Introduced by: **Representative** Perry

25

HB 1071: FOR AN ACT ENTITLED, An Act to establish use of force course standards.

26

Introduced by: **Representative** Kevin Jensen

27

HB 1073: FOR AN ACT ENTITLED, An Act to rename separate maintenance as legal separation.

28

Introduced by: **Representative** Drury

29

HB 1074: FOR AN ACT ENTITLED, An Act to authorize division of property between parties when legal separation is granted.

30

31

Introduced by: **Representative** Drury

1 **SB 2:** FOR AN ACT ENTITLED, An Act to revise Department of Corrections reporting
2 requirements concerning abuse and neglect of individuals in private contracted facilities.

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

4 **SECOND READING OF CONSENT CALENDAR ITEMS**

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

7 Was read the second time.

8 The question being "Shall **HB 1004** pass?"

9 And the roll being called:

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

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

18 Excused: Pourier and Weisgram

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

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

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

24 Was read the second time.

25 The question being "Shall **HB 1012** pass?"

26 And the roll being called:

27 Yeas 48, Nays 20, Excused 2, Absent 0

28 Yeas: Arlint, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby, Deutsch,
29 Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Healy, Heermann, Jamison, Kevin Jensen, Kassin,
30 Koth, Krull, Kull, Ladner, Lesmeister, Massie, Moore, Mortenson, Mulder, Nelson, Olson, Perry, Drew
31 Peterson, Pinnow, Rehfeldt, Reimer, Reisch, Sauder, Schneider, Shorma, St. John, Teunissen,
32 Tordsen, Venhuizen, Wangsness, Wittman, and Speaker Bartels

1 Nays: Auch, Aylward, Gross, Hansen, Phil Jensen, Karr, Krohmer, Lems, May, Mills, Mulally,
2 Odenbach, Ernie Otten, Overweg, Sue Peterson, Randolph, Schaeftbauer, Sjaarda, Soye, and
3 Stevens

4 Excused: Pourier and Weisgram

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 Rep. Drury moved that the House do now adjourn, which motion prevailed and at 2:37 p.m.
8 the House adjourned.

9 Patricia Miller, Chief Clerk

