

JOURNAL OF THE HOUSE

NINETY-EIGHTH SESSION

FOURTEENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, January 31, 2023

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

The prayer was offered by the Chaplain, Sam Handschke, followed by the Pledge of Allegiance led by House page Taylor Reisch.

Roll Call: All members present except Reps. Olson and Reisch 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 13th 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

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REPORTS OF STANDING COMMITTEES

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The Speaker appointed Rep. Nelson to replace Rep. Duba on the Committee on Retirement Laws.

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Mr. Speaker:

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The Committee on House Agriculture and Natural Resources respectfully reports that it has had under consideration **HB 1121** and returns the same with the recommendation that said bill do pass.

7

Also Mr. Speaker:

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The Committee on House Agriculture and Natural Resources respectfully reports that it has had under consideration **HB 1134** which was deferred to the 41st Legislative Day.

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Respectfully submitted,
Roger Chase, Chair

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Mr. Speaker:

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The Committee on House Military and Veterans Affairs respectfully reports that it has had under consideration **HB 1048** and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

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Also Mr. Speaker:

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The Committee on House Military and Veterans Affairs respectfully reports that it has had under consideration **HB 1130** which was deferred to the 41st Legislative Day.

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Respectfully submitted,
Kenneth Teunissen, Vice-Chair

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Mr. Speaker:

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The Committee on House Taxation respectfully reports that it has had under consideration **HB 1109** and returns the same with the recommendation that said bill do pass.

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Also Mr. Speaker:

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The Committee on House Taxation respectfully reports that it has had under consideration **HB 1137** with the recommendation that said bill be referred to the House Committee on Appropriations with a Do Pass recommendation.

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Also Mr. Speaker:

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The Committee on House Taxation respectfully reports that it has had under consideration **SB 58** and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

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Respectfully submitted,
Kirk Chaffee, Chair

1 Mr. Speaker:

2 The Committee on House Health and Human Services respectfully reports that it has had under
3 consideration **HB 1078** with the recommendation that said bill be referred to the Joint Committee
4 on Appropriations with a Do Pass recommendation.

5 Also Mr. Speaker:

6 The Committee on House Health and Human Services respectfully reports that it has had under
7 consideration **HB 1080** and returns the same with the recommendation that said bill be amended
8 as follows:

9 1080A

10 On page 1, line 14, of the Introduced bill, after "administer " delete "to a minor, "

11 On page 1, line 15, of the Introduced bill, after "administer " delete "supraphysiologic doses of
12 "

13 On page 1, line 15, of the Introduced bill, after "testosterone" delete " or other androgens"

14 On page 1, line 16, of the Introduced bill, after "androgens " delete "to a female;"

15 On page 1, line 17, of the Introduced bill, delete "(3) Prescribe or administer supraphysiologic
16 doses of estrogen to a male" and insert ", estrogen, or progesterone, in amounts greater than would
17 normally be produced endogenously in a healthy individual of the same age and sex"

18 On page 1, line 18, of the Introduced bill, delete "(4)" and insert "(3)"

19 On page 1, line 20, of the Introduced bill, delete "(5)" and insert "(4)"

20 On page 1, line 23, of the Introduced bill, delete "(6)" and insert "(5)"

21 And that as so amended, **HB 1080** do pass.

22 Respectfully submitted,
23 Kevin D. Jensen, Chair

24 Mr. Speaker:

25 The Committee on House Local Government respectfully reports that it has had under
26 consideration **HB 1108** and returns the same with the recommendation that said bill be amended
27 as follows:

28 1108A

29 On page 2, line 9, of the Introduced bill, after "chapter." delete "Section 3. That § 21-54-17
30 be AMENDED:

31 "

32 On page 2, line 10, of the Introduced bill, after "AMENDED:" delete "21-54-17. If an abandoned
33 mobile home or manufactured home fails to sell at a sale held pursuant to this chapter, title to the
34 mobile home or manufactured home is irrevocably vested with the owner of the real property. The
35 owner of the real property on which the mobile home or manufactured home resides, may obtain
36 an abandoned title without payment or obligation to pay any taxes owed on the home or any lien
37 on the home at the time of acquisition. However, if the owner of the real property intends any use
38 of the abandoned mobile home or manufactured home other than disposal, the owner of the real

1 property may obtain an abandoned title after paying any taxes owed on the home. The department
2 shall promulgate rules pursuant to chapter 1-26 to prescribe a form that shall must be used to apply
3 for the abandoned title."

4 On page 2, line 30, of the Introduced bill, after "disposal" insert the period

5 And that as so amended, **HB 1108** do pass, and having been certified as uncontested, be
6 placed on the consent calendar.

7 Respectfully submitted,
8 Becky J. Drury, Chair

9 Mr. Speaker:

10 The Committee on House Transportation respectfully reports that it has had under
11 consideration **HB 1103 and 1120** which were deferred to the 41st Legislative Day.

12 Respectfully submitted,
13 Rocky Blare, Chair

14 **MESSAGES FROM THE SENATE**

15 Mr. Speaker:

16 I have the honor to return herewith **HB 1015** which has been amended by the Senate and
17 your concurrence in the amendments is respectfully requested.

18 Also Mr. Speaker:

19 I have the honor to transmit herewith **SCR 601** which has been adopted by the Senate and
20 your concurrence is respectfully requested.

21 Also Mr. Speaker:

22 I have the honor to return herewith **HB 1003, 1004, 1005, 1010, 1012, 1014, 1018, 1019,**
23 **1033, and 1062** which have passed the Senate without change.

24 Also Mr. Speaker:

25 I have the honor to transmit herewith **SB 3, 37, 48, 50, 61, 64, 71, 72, 77, 81, 82, 84, and**
26 **85** which have passed the Senate and your favorable consideration is respectfully requested.

27 Respectfully,
28 Kay Johnson, Secretary

29 **MOTIONS AND RESOLUTIONS**

30 Rep. Mortenson moved that **HB 1039** be referred to the House Committee on Appropriations.

31 Which motion prevailed.

1 Rep. Mortenson moved that **HB 1099** be referred from the Committee on State Affairs to the
2 Committee on Local Government.

3 Which motion prevailed.

4 **HCR 6010:** A CONCURRENT RESOLUTION, Encouraging the Executive Board of the Legislature
5 to establish a taskforce to study the availability of childcare.

6 Introduced by: **Representative** Healy

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

8 **HCR 6011:** A CONCURRENT RESOLUTION, Celebrating the sister-state relationship with
9 Taiwan.

10 Introduced by: **Representative** Cammack

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

12 **SCR 601:** A CONCURRENT RESOLUTION, Encouraging the Executive Board of the Legislature
13 to authorize and form an interim legislative committee on nuclear power in South Dakota.

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

15 **CONSIDERATION OF REPORTS OF COMMITTEES**

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

17 State Affairs on **HB 1112** as found on page 168 of the House Journal be adopted.

18 Which motion prevailed and the report was adopted.

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

20 **HB 1189:** FOR AN ACT ENTITLED, An Act to require certain entities owning agricultural land
21 to report foreign beneficial ownership interests.

22 Introduced by: **Representative** Mortenson

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

24 **HB 1191:** FOR AN ACT ENTITLED, An Act to clarify the duties of truancy officers.

25 Introduced by: **Representative** DeGroot

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

1 **HB 1187:** FOR AN ACT ENTITLED, An Act to make an appropriation for pediatric cancer
2 research and resource projects and to declare an emergency.

3 Introduced by: **Representative** Drury

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

5 **HB 1190:** FOR AN ACT ENTITLED, An Act to make an appropriation to provide a grant for the
6 construction of a military heritage museum in Sioux Falls and declare an emergency.

7 Introduced by: **Representative** Teunissen

8 Was read the first time and referred to the Committee on Military and Veterans Affairs.

9 **HB 1188:** FOR AN ACT ENTITLED, An Act to provide for property owner inclusion in the pipeline
10 siting application and condemnation process.

11 Introduced by: **Representative** Lems

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

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

14 **SB 77:** FOR AN ACT ENTITLED, An Act to reinstate the restricted real estate broker's license
15 for auctioneers and revise real estate licensing.

16 **SB 85:** FOR AN ACT ENTITLED, An Act to revise rebating provisions in the insurance code.

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

18 **SB 37:** FOR AN ACT ENTITLED, An Act to revise provisions pertaining to the South Dakota
19 School for the Deaf.

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

21 **SB 3:** FOR AN ACT ENTITLED, An Act to require law enforcement notice to school officials when
22 a student is suspected of violating state drug or alcohol laws or of threatening violence.

23 **SB 48:** FOR AN ACT ENTITLED, An Act to enhance the penalty for attempted first degree
24 murder of a law enforcement officer.

25 **SB 50:** FOR AN ACT ENTITLED, An Act to revise the crime of witness tampering.

26 **SB 64:** FOR AN ACT ENTITLED, An Act to repeal provisions related to the jail mental health
27 screening pilot program and oversight council.

28 **SB 72:** FOR AN ACT ENTITLED, An Act to revise provisions related to the discharge of a
29 defendant restored to competency.

30 **SB 81:** FOR AN ACT ENTITLED, An Act to repeal outdated sections regarding enhanced
31 concealed carry permit requirements.

32 Were read the first time and referred to the Committee on Judiciary.

1 **SB 82:** FOR AN ACT ENTITLED, An Act to modify provisions pertaining to poll watchers.

2 **SB 84:** FOR AN ACT ENTITLED, An Act to authorize compensation for water project district
3 directors.

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

5 **SB 71:** FOR AN ACT ENTITLED, An Act to authorize other fuel taxes to be included in the state's
6 International Fuel Tax Agreement collections.

7 Was read the first time and referred to the Committee on Taxation.

8 **SB 61:** FOR AN ACT ENTITLED, An Act to revise driver's license suspensions for restricted
9 permit holders over the age of sixteen.

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

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

12 **HB 1091:** FOR AN ACT ENTITLED, An Act to amend provisions of the insurance statutes
13 regarding producer recommendations and responsibilities.

14 Was read the second time.

15 The question being "Shall **HB 1091** pass as amended?"

16 And the roll being called:

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

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

25 Nays: Aylward, Phil Jensen, Lems, Mulally, Randolph, and Sjaarda

26 Excused: Olson and Reisch

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

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

31 Was read the second time.

1 The question being "Shall **HB 1026** pass?"

2 And the roll being called:

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

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

11 Excused: Olson and Reisch

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

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

16 Was read the second time.

17 The question being "Shall **HB 1027** pass?"

18 And the roll being called:

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

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

27 Excused: Olson and Reisch

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

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

32 Was read the second time.

33 The question being "Shall **HB 1034** pass?"

34 And the roll being called:

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

36 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot,
37 Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann,
38 Jamison, Kevin Jensen, Phil Jensen, Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,

1 Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Ernie Otten,
2 Overweg, Perry, Drew Peterson, Sue Peterson, Pinnow, Pourier, Randolph, Rehfeldt, Reimer,
3 Sauder, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen,
4 Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

5 Excused: Olson and Reisch

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

8 **HB 1111:** FOR AN ACT ENTITLED, An Act to increase campaign contribution limits for
9 statewide, legislative, and county campaigns.

10 Was read the second time.

11 The question being "Shall **HB 1111** pass?"

12 And the roll being called:

13 Yeas 31, Nays 37, Excused 2, Absent 0

14 Yeas: Arlint, Aylward, Cammack, Chaffee, Chase, DeGroot, Donnell, Drury, Duffy, Heermann,
15 Kassin, Koth, Ladner, Massie, Mortenson, Mulder, Odenbach, Ernie Otten, Drew Peterson, Randolph,
16 Rehfeldt, Sauder, Schneider, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness,
17 Weisgram, and Speaker Bartels

18 Nays: Auch, Bahmuller, Blare, Callies, Derby, Deutsch, Duba, Emery, Fitzgerald, Gross,
19 Hansen, Healy, Jamison, Kevin Jensen, Phil Jensen, Karr, Krohmer, Krull, Kull, Lems, Lesmeister,
20 May, Mills, Moore, Mulally, Nelson, Overweg, Perry, Sue Peterson, Pinnow, Pourier, Reimer,
21 Schaeftbauer, Shorma, Sjaarda, Soye, and Wittman

22 Excused: Olson and Reisch

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

25 **HB 1114:** FOR AN ACT ENTITLED, An Act to revise the qualifications to be a member of a
26 county recount board.

27 Was read the second time.

28 The question being "Shall **HB 1114** pass?"

29 And the roll being called:

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

31 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot,
32 Derby, Deutsch, Donnell, Drury, Duffy, Fitzgerald, Gross, Hansen, Healy, Heermann, Jamison, Kevin
33 Jensen, Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems, Massie, May, Mills, Moore,
34 Mortenson, Mulally, Mulder, Odenbach, Ernie Otten, Overweg, Perry, Drew Peterson, Sue Peterson,
35 Pinnow, Randolph, Rehfeldt, Reimer, Sauder, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye,
36 St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and
37 Speaker Bartels

1 Nays: Duba, Emery, Phil Jensen, Lesmeister, Nelson, and Pourier

2 Excused: Olson and Reisch

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 Speaker Pro Tempore Stevens now presiding.

6 **HJR 5004:** A JOINT RESOLUTION, Proposing and submitting to the voters at the next general
7 election, an amendment to the Constitution of the State of South Dakota, authorizing the state to
8 impose work requirements on certain individuals who are eligible for expanded Medicaid.

9 Was read the second time.

10 The question being "Shall **HJR 5004** pass?"

11 And the roll being called:

12 Yeas 60, Nays 8, Excused 2, Absent 0

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

19 Nays: Duba, Emery, Healy, Jamison, Lesmeister, Nelson, Pourier, and Wittman

20 Excused: Olson and Reisch

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

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

24 **SB 30:** FOR AN ACT ENTITLED, An Act to revise the criteria for remote sellers who must remit
25 sales tax.

26 Was read the second time.

27 Rep. Karr moved that **SB 30** be amended as follows:

28 30A

29 On page 1, line 1, of the Introduced bill, delete " criteria" and insert " taxes"

30 On page 1, line 1, of the Introduced bill, after "for " insert "which "

31 On page 1, line 1, of the Introduced bill, after "sellers" delete " who"

32 On page 1, line 9, of the Introduced bill, remove the overstrikes from "seller meets either of
33 the following criteria in the previous calendar year or the current calendar year:"

1 On page 1, line 11, of the Introduced bill, remove the overstrikes from "(1) The"

2 On page 1, line 13, of the Introduced bill, remove the overstrikes from "; or"

3 On page 1, line 14, of the Introduced bill, remove the overstrikes from "(2) The seller sold
4 tangible personal property, any product transferred electronically, or services for delivery into South
5 Dakota in two hundred or more separate transactions"

6 On page 1, line 16, of the Introduced bill, after "transactions" delete " in the previous or current
7 calendar year"

8 Rep. Auch requested a roll call vote.

9 Which request was supported.

10 And the roll being called:

11 Yeas 32, Nays 36, Excused 2, Absent 0

12 Yeas: Arlint, Auch, Aylward, Bahmuller, Deutsch, Donnell, Fitzgerald, Gross, Hansen, Jamison,
13 Kevin Jensen, Phil Jensen, Karr, Kassin, Krohmer, Ladner, Lems, May, Mills, Moore, Mulally, Mulder,
14 Odenbach, Overweg, Drew Peterson, Sue Peterson, Randolph, Reimer, Schaeftbauer, Shorma,
15 Sjaarda, and Soye

16 Nays: Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby, Drury, Duba, Duffy, Emery,
17 Healy, Heermann, Koth, Krull, Kull, Lesmeister, Massie, Mortenson, Nelson, Ernie Otten, Perry,
18 Pinnow, Poirier, Rehfeldt, Sauder, Schneider, St. John, Stevens, Teunissen, Tordsen, Venhuizen,
19 Wangsness, Weisgram, Wittman, and Speaker Bartels

20 Excused: Olson and Reisch

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

23 The question being "Shall **SB 30** pass?"

24 And the roll being called:

25 Yeas 39, Nays 29, Excused 2, Absent 0

26 Yeas: Arlint, Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby, Drury, Duba, Duffy,
27 Fitzgerald, Healy, Heermann, Jamison, Kassin, Koth, Krull, Kull, Ladner, Lesmeister, Massie,
28 Mortenson, Nelson, Ernie Otten, Perry, Pinnow, Poirier, Rehfeldt, Sauder, Schneider, St. John,
29 Stevens, Teunissen, Tordsen, Wangsness, Weisgram, Wittman, and Speaker Bartels

30 Nays: Auch, Aylward, Bahmuller, Deutsch, Donnell, Emery, Gross, Hansen, Kevin Jensen, Phil
31 Jensen, Karr, Krohmer, Lems, May, Mills, Moore, Mulally, Mulder, Odenbach, Overweg, Drew
32 Peterson, Sue Peterson, Randolph, Reimer, Schaeftbauer, Shorma, Sjaarda, Soye, and Venhuizen

33 Excused: Olson and Reisch

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

36 **SB 11:** FOR AN ACT ENTITLED, An Act to update certain application fees for actions related to
37 energy transactions in utility chargeback dockets.

38 Was read the second time.

1 The question being "Shall **SB 11** pass as amended?"

2 Speaker Pro Tempore Stevens ruled that **SB 11** did not require a two-thirds majority vote.

3 And the roll being called:

4 Yeas 59, Nays 9, Excused 2, Absent 0

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

11 Nays: Auch, Aylward, Phil Jensen, Lems, May, Mills, Mulally, Randolph, and Sjaarda

12 Excused: Olson and Reisch

13 So the bill having received an affirmative vote of a majority of the members-elect, the Speaker
14 declared the bill passed.

15 The question being on the title.

16 Rep. Mortenson moved that the title to **SB 11** be amended as follows:

17 11B

18 On page 1, line 1, of the Senate Commerce and Energy Engrossed bill, delete " certain
19 application fees" and insert " the deposit threshold"

20 On page 1, line 1, of the Senate Commerce and Energy Engrossed bill, delete " energy
21 transactions in utility chargeback dockets" and insert " general rate cases"

22 Which motion prevailed and the title was so amended.

23 Rep. Mortenson moved that the balance of the calendar including **SB 68** be deferred to
24 Wednesday, February 1, 2023, the 15th legislative day.

25 Which motion prevailed.

26 There being no objection, the House reverted to Order of Business No. 11 - First Reading of
27 House Bills and Joint Resolutions.

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

29 The Speaker declared that **HB 1139** was withdrawn at the request of the prime sponsor
30 pursuant to JR 6B-1.1.

1

COMMEMORATIONS

2

3

HC 8006: A LEGISLATIVE COMMEMORATION, Recognizing the De Smet Bulldogs as the 2021 and 2022 boys basketball Class B state champions.

4

Introduced by: **Representatives** Reisch and Mills and **Senator** Crabtree.

5

6

Rep. Deutsch moved that the House do now adjourn, which motion prevailed and at 3:49 p.m. the House adjourned.

7

Patricia Miller, Chief Clerk

