

JOURNAL OF THE HOUSE

NINETY-EIGHTH SESSION

TWENTIETH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, February 08, 2023

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

The prayer was offered by the Chaplain, Fr. Joe Holzhauser, followed by the Pledge of Allegiance led by House page Jesse Newton.

Roll Call: All members present except Reps. DeGroot and Perry 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 19th 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 Judiciary respectfully reports that it has had under consideration
4 **HB 1171** which was tabled.

5 Also Mr. Speaker:

6 The Committee on House Judiciary respectfully reports that it has had under consideration
7 **HB 1173 and 1238** which were deferred to the 41st Legislative Day.

8 Also Mr. Speaker:

9 The Committee on House Judiciary respectfully reports that it has had under consideration
10 **HB 1160, 1170, and 1193, and SB 95** and returns the same with the recommendation that said
11 bills do pass.

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Respectfully submitted,
Jon Hansen, Chair

14 Mr. Speaker:

15 The Committee on House Commerce and Energy respectfully reports that it has had under
16 consideration **HB 1135** and returns the same with the recommendation that said bill be amended
17 as follows:

18

1135B

19 On page 1, line 15, of the Introduced bill, delete "the proprietary or registered trademark name
20 given to a drug product by its manufacturer, labeler, or distributor and placed on the drug or on its
21 container, label, or wrapping, at the time of packaging" and insert " the same as set forth in § 36-
22 11-2"

23 On page 2, line 5, of the Introduced bill, delete "a policy, contract, certificate, or agreement
24 entered into, offered, or issued by a health carrier to provide, deliver, arrange for, pay for, or
25 reimburse any of the costs of health care services, provided the term includes short-term and
26 catastrophic health insurance policies, and a policy that pays on a cost-incurred basis, except as
27 otherwise specifically exempted in this definition, and further provided that the term does not
28 include:

29 (a) Coverage only for accident, or disability income insurance, or any combination thereof;
30 coverage issued as a supplement to liability insurance; liability insurance, including general liability
31 insurance and automobile liability insurance; workers' compensation or similar insurance;
32 automobile medical payment insurance; credit-only insurance; coverage for on-site medical clinics;
33 and other similar insurance coverage, specified in federal regulations issued pursuant to Public Law
34 104-191, as of January 1, 2011, under which benefits for medical care are secondary or incidental
35 to other insurance benefits;

36 (b) The following benefits, if the benefits are provided under a separate policy, certificate, or
37 contract of insurance or are otherwise not an integral part of the plan: limited scope dental or vision
38 benefits; benefits for long-term care, nursing home care, home health care, community-based care,
39 or any combination thereof; or other similar, limited benefits specified in federal regulations issued
40 pursuant to Public Law 104-191, as of January 1, 2011;

41 (c) The following benefits, if the benefits are provided under a separate policy, certificate, or
42 contract of insurance, there is no coordination between the provision of the benefits and any
43 exclusion of benefits under any group health plan maintained by the same plan sponsor, and the

1 benefits are paid with respect to an event without regard to whether benefits are provided with
2 respect to such an event under any group health plan maintained by the same plan sponsor:
3 coverage only for a specified disease or illness; or hospital indemnity or other fixed indemnity
4 insurance; or

5 (d) The following, if offered as a separate policy, certificate, or contract of insurance: Medicare
6 supplemental health insurance, as defined under 42 U. S. C. § 1395ss, as of January 1, 2011;
7 coverage supplemental to the coverage provided under 10 U. S. C. ch. 55, as of January 1, 2011;
8 or similar supplemental coverage provided to coverage under a group health plan" and insert " the
9 same as set forth in § 58-17F-2"

10 On page 3, line 4, of the Introduced bill, delete " an entity that is subject to the insurance laws
11 and rules of this state, or subject to the jurisdiction of the director of the Division of Insurance, and
12 which contracts or offers to contract, or enters into an agreement to provide, deliver, arrange for,
13 pay for, or reimburse any of the costs of health care services, including a sickness and accident
14 insurance company, a health maintenance organization, a nonprofit hospital and health service
15 corporation, or any other entity providing a plan of health insurance, health benefits, or health
16 services" and insert " the same as set forth in § 58-17F-1"

17 On page 3, line 11, of the Introduced bill, delete "a biological product that the U. S. Food and
18 Drug Administration has:

19 (a) Licensed, and has determined meets the standards for interchangeability, pursuant to 42
20 U. S. C. § 262(k)(4), as of January 1, 2018; or

21 (b) Determined is therapeutically equivalent, as set forth in the latest edition of, or any
22 supplement to, the Food and Drug Administration's publication entitled Approved Drug Products with
23 Therapeutic Equivalence Evaluations, as adopted by the State Board of Pharmacy, in rules
24 promulgated pursuant to chapter 1-26" and insert " the same as set forth in § 36-11-2"

25 On page 4, line 5, of the Introduced bill, delete " an individual licensed by the State Board of
26 Pharmacy, in accordance with chapter 36-11, to engage in the practice of pharmacy" and insert "
27 the same as set forth in § 36-11-2"

28 On page 4, line 7, of the Introduced bill, delete "a place that:

29 (a) Is licensed by the State Board of Pharmacy, in accordance with chapter 36-11;

30 (b) Is located within or outside of this state; and

31 (c) Provides for the dispensing of drugs and rendering of pharmaceutical care to residents of
32 this state" and insert " the same as set forth in § 36-11-2"

33 On page 5, line 2, of the Introduced bill, delete "covered entity" and insert "third party payor"

34 On page 5, line 12, of the Introduced bill, after "manager;

35 (16)" delete ""Pharmacy benefit manager duty," a duty imposed upon a pharmacy benefit
36 manager to provide to the Division of Insurance, during any action under section 18 of this Act:

37 (a) The amount charged or claimed by the pharmacy benefit manager in a format that allows
38 the division to identify all instances of spread pricing; and

39 (b) Information regarding shared ownership interest, by any person defined in this section;"

40 On page 5, line 19, of the Introduced bill, after "section;" delete "(17)"

41 On page 5, line 20, of the Introduced bill, after "to " delete "individuals "

42 On page 5, line 20, of the Introduced bill, after "covered " insert "individuals "

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- 1 On page 5, line 23, of the Introduced bill, delete "(18)" and insert "(17)"
- 2 On page 5, line 27, of the Introduced bill, delete "(19)" and insert "(18)"
- 3 On page 5, line 29, of the Introduced bill, delete "(20)" and insert "(19)"
- 4 On page 5, line 29, of the Introduced bill, delete "a practitioner's written or oral order, for a
5 drug or a drug device, for a specific patient" and insert " the same as set forth in § 36-11-2"
- 6 On page 5, line 31, of the Introduced bill, delete "(21)" and insert "(20)"
- 7 On page 5, line 34, of the Introduced bill, delete "(22)" and insert "(21)"
- 8 On page 6, line 10, of the Introduced bill, delete "(23)" and insert "(22)"
- 9 On page 6, line 15, of the Introduced bill, delete "(24)" and insert "(23)"
- 10 On page 6, line 19, of the Introduced bill, delete "(25)" and insert "(24)"
- 11 On page 6, line 19, of the Introduced bill, delete " information, including a formula, pattern,
12 compilation, program, device, method, technique, or process, that:
- 13 (a) Derives independent economic value, actual or potential, from not being generally known
14 to, and not being readily ascertainable by proper means by, other persons who can obtain economic
15 value from its disclosure or use; and
- 16 (b) Is the subject of efforts that are reasonable under the circumstances to maintain its
17 secrecy" and insert " the same as set forth in § 37-29-1"
- 18 On page 6, line 27, of the Introduced bill, delete "(26)" and insert "(25)"
- 19 On page 6, line 31, of the Introduced bill, delete "(27)" and insert "(26)"
- 20 On page 6, line 31, of the Introduced bill, delete " any person engaged in wholesale distribution,
21 but not including:
- 22 (a) A manufacturer;
- 23 (b) A manufacturer's co-licensed partner;
- 24 (c) A repackager; or
- 25 (d) A third-party logistics provider" and insert " the same as set forth in § 36-11A-25"
- 26 On page 7, line 4, of the Introduced bill, remove the overstrikes from " to operate as a third
27 party administrator pursuant to chapter 58-29D. Sections 58-29D-26"
- 28 On page 7, line 5, of the Introduced bill, after "58-29D-26" insert ", 58-29D-27,"
- 29 On page 7, line 5, of the Introduced bill, remove the overstrikes from " and 58-29D-29 do not
30 apply to pharmacy benefits managers"
- 31 On page 8, line 26, of the Introduced bill, after "director" delete " of the Division of Insurance"
- 32 On page 10, line 22, of the Introduced bill, delete "A " and insert "Except as provided in chapter
33 58-17K, and in accordance with the audit provisions in § 58-29E-7, a "
- 34 On page 10, line 30, of the Introduced bill, delete "this section " and insert "§ 58-29E-7 "

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- 1 On page 11, line 2, of the Introduced bill, delete " this section" and insert " § 58-29E-7 "
- 2 On page 11, line 25, of the Introduced bill, delete "an " and insert "a covered "
- 3 On page 11, line 31, of the Introduced bill, delete "an " and insert "a covered "
- 4 On page 11, line 31, of the Introduced bill, after "the " insert "covered "
- 5 On page 11, line 32, of the Introduced bill, after "the" insert " covered"
- 6 On page 12, line 1, of the Introduced bill, after "the " insert "covered "
- 7 On page 12, line 2, of the Introduced bill, after "the " insert "covered "
- 8 On page 14, line 8, of the Introduced bill, after "SECTION:" delete "The director of the Division
9 of Insurance may deny an application for licensure as a pharmacy benefit manager, may deny an
10 application for the renewal of a pharmacy benefit manager license, and may suspend or revoke the
11 license of a pharmacy benefit manager, if the director determines that the pharmacy benefit
12 manager:
- 13 (1) Is in an unsound financial condition;
- 14 (2) Is using methods or practices that are potentially hazardous or injurious to covered
15 individuals, third-party payors, or providers;
- 16 (3) Has failed to pay, within sixty days, any final judgment entered against it;
- 17 (4) Has violated any statute or rule, or an order of the director;
- 18 (5) Has refused:
- 19 (a) To be examined;
- 20 (b) To produce its accounts, records, and files for examination; or
- 21 (c) To provide information regarding its business or any duties set forth in this chapter;
- 22 (6) Has, without just cause:
- 23 (a) Refused to pay proper claims or perform services arising under its contracts;
- 24 (b) Required providers to accept less than the amount due them; or
- 25 (c) Required covered individuals to threaten or initiate legal action in order to secure their full
26 payment or the settlement of their claims;"
- 27 On page 14, line 28, of the Introduced bill, delete "(7) Is affiliated with or under the same
28 general management or interlocking directorate or ownership as another pharmacy benefit manager
29 that transacts business in this state without a license;
- 30 (8) Fails to meet or continue meeting any qualification required for the issuance of an initial
31 license;
- 32 (9) Has been convicted of, or has entered a plea of guilty or nolo contendere to, a felony,
33 without regard to whether adjudication was withheld;
- 34 (10) Has a license that is under suspension or revocation in another state; or
- 35 (11) Has provided false or misleading information to the director" and insert "

1 A pharmacy benefit manager licensed under this chapter shall, at the request of the Division
2 of Insurance, provide:

3 (1) The amount charged or claimed by the pharmacy benefit manager, in a format that allows
4 the division to identify all instances of spread pricing; and

5 (2) Information regarding a shared ownership interest by any person defined in § 58-29E-1"

6 On page 15, after line 2, of the Introduced bill, insert: "

7 **Section 19. That chapter 58-29E be amended with a NEW SECTION:**

8 In addition to any grounds set forth in § 58-29D-31, the director may deny a pharmacy benefit
9 manager's application for an initial or a renewed license, and may suspend or revoke a pharmacy
10 benefit manager's license, if the director determines that the pharmacy benefit manager, or an
11 applicant for a license, failed to provide information as required by this chapter. "

12 And that as so amended, **HB 1135** do pass.

13 Also Mr. Speaker:

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

17 1176A

18 On page 1, line 1, of the Introduced bill, delete "provide for a unified liquor license for municipal
19 facilities" and insert "revise certain provisions regarding on-sale alcoholic beverage licenses for use
20 at municipality-owned facilities"

21 On the Introduced bill, delete everything after the enacting clause and insert:

22 "

23 **Section 1. That § 35-4-14.1 be AMENDED:**

24 **35-4-14.1.** Notwithstanding the provisions of § 35-4-11, any municipality, by resolution,
25 without election, but subject to referendum, may issue an on-sale license ~~pursuant to subdivision~~
26 ~~35-4-2(4) to a~~ for use at any municipality-owned entertainment venue, event venue, event center,
27 arena, performance hall, theater, outdoor amphitheater, convention center, stadium, athletic venue,
28 recreation facility, municipal auditorium operated pursuant to chapter 9-52, or to a public convention
29 hall operated pursuant to chapter 9-53 for use during a convention activity or an entertainment
30 event, including any theatrical or musical performance, rodeo, sporting event, or show. The selling,
31 selling, serving, or dispensing of any alcoholic beverage at the municipal auditorium may not occur more
32 than one hour before the commencement of the event or at any time after the event is concluded.
33 The governing body of any municipality that has obtained an on-sale license pursuant to this section
34 may contract with any person or entity for purposes of providing food and beverage services at the
35 municipality-owned facility and the use of any license issued pursuant to this section. A license
36 issued pursuant to this section may not be transferred.

37 "

38 1176B

39 On amendment (1176A),

40 On page 1, line 6, after "municipality" delete ", by resolution, without election, but subject to
41 referendum,"

1 On page 1, line 7, after "may " insert "by resolution "

2 On page 1, line 7, remove the overstrikes from " pursuant to subdivision 35-4-2(4)"

3 On page 1, line 15, after "concluded. " insert "An on-sale license issued pursuant to this section
4 must be used to support the primary public purpose of the municipality-owned facility during the
5 hours the municipality-owned facility is open for primary purpose. A license issued pursuant to this
6 section must not be used at any municipality-owned facility for the primary purpose of only providing
7 food and beverage services to the public. There is no fee for a license under this section. "

8 1176C

9 On amendment (1176B),

10 On page 1, line 17, after "for" insert " its"

11 And that as so amended, **HB 1176** do pass.

12 Also Mr. Speaker:

13 The Committee on House Commerce and Energy respectfully reports that it has had under
14 consideration **SB 77** and returns the same with the recommendation that said bill do pass, and
15 having been certified as uncontested, be placed on the consent calendar.

16 Respectfully submitted,
17 Mike Weisgram, Chair

18 Mr. Speaker:

19 The Committee on House Education respectfully reports that it has had under consideration
20 **HB 1163** which was deferred to the 41st Legislative Day.

21 Respectfully submitted,
22 Mike Stevens, Chair

23 **MESSAGES FROM THE SENATE**

24 Mr. Speaker:

25 I have the honor to return herewith **HB 1060** which has passed the Senate without change.

26 Also Mr. Speaker:

27 I have the honor to transmit herewith **SB 5, 34, 86, 93, 141, 198, and 204** which have
28 passed the Senate and your favorable consideration is respectfully requested.

29 Respectfully,
30 Kay Johnson, Secretary

1

MOTIONS AND RESOLUTIONS

2

Rep. Mortenson moved that when we adjourn today, we adjourn to convene at 1:00 p.m., on Thursday, February 9, 2023, the 21st legislative day.

3

Which motion prevailed.

4

Rep. Hansen moved that the House do concur in Senate amendments to **HB 1064**.

5

The question being on Rep. Hansen's motion that the House do concur in Senate amendments to **HB 1064**.

6

And the roll being called:

7

Yeas 67, Nays 1, Excused 2, Absent 0

8

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

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Nays: Mulally

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Excused: DeGroot and Perry

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

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CONSIDERATION OF REPORTS OF COMMITTEES

22

Rep. Mortenson moved that the reports of the Standing Committees on

23

Transportation on **HB 1158** as found on page 242 of the House Journal; also

24

Health and Human Services on **HB 1172** as found on page 243 of the House Journal; also

25

Agriculture and Natural Resources on **HB 1186** as found on page 245 of the House Journal;

26

and

27

State Affairs on **HB 1133** as found on page 244 of the House Journal be adopted.

28

Which motion prevailed and the reports were adopted.

29

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

30

SB 5: FOR AN ACT ENTITLED, An Act to extend the termination date of the Juvenile Justice Oversight Council and modify its membership requirements.

31

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SB 86: FOR AN ACT ENTITLED, An Act to require candidates for party precinct committeeman or committeewoman to include an email address and phone number in the written statement submitted to the county auditor.

33

34

1 **SB 141:** FOR AN ACT ENTITLED, An Act to clarify and modernize cremation requirements and
 2 procedures.

3 **SB 198:** FOR AN ACT ENTITLED, An Act to allow medical cannabis establishments to maintain
 4 certain cardholder data and to declare an emergency.

5 **SB 204:** FOR AN ACT ENTITLED, An Act to expand critical incident stress management to
 6 health care facility personnel providing emergency services.

7 Were read the first time.

8 **SB 34:** FOR AN ACT ENTITLED, An Act to authorize the sale of real property in Lake County
 9 by the Board of Regents, and to declare an emergency.

10 **SB 93:** FOR AN ACT ENTITLED, An Act to provide an increased appropriation for the
 11 construction costs of an athletics events center at Dakota State University, and to declare an
 12 emergency.

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

14 **SECOND READING OF CONSENT CALENDAR ITEMS**

15 **HB 1147:** FOR AN ACT ENTITLED, An Act to provide for the organization of townships or
 16 fractions of townships.

17 **HB 1162:** FOR AN ACT ENTITLED, An Act to authorize employers to acquire and make available
 18 opioid antagonists.

19 **SB 73:** FOR AN ACT ENTITLED, An Act to exclude township-owned self-propelled machinery,
 20 equipment, and vehicles from fuel excise tax.

21 Were read the second time.

22 The question being "Shall **SB 73** pass as amended, and **HB 1147 and 1162** pass?"

23 And the roll being called:

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

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

32 Excused: DeGroot and Perry

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

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SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

2

HB 1222: FOR AN ACT ENTITLED, An Act to limit the liability of permit and certificate-issuing entities and certified use of force instructors.

3

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Was read the second time.

5

The question being "Shall **HB 1222** pass as amended?"

6

And the roll being called:

7

Yeas 62, Nays 6, Excused 2, Absent 0

8

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

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Nays: Duba, Healy, Krull, Nelson, Pourier, and Wittman

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Excused: DeGroot and Perry

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

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HB 1230: FOR AN ACT ENTITLED, An Act to clarify references to the court in a condemnation action.

21

Was read the second time.

22

The question being "Shall **HB 1230** pass?"

23

And the roll being called:

24

Yeas 65, Nays 3, Excused 2, Absent 0

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

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Nays: Chase, Duba, and Drew Peterson

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Excused: DeGroot and Perry

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

1 Rep. Mortenson moved that **HB 1210** be deferred to Thursday, February 9, 2023, the 21st
2 legislative day.

3 Which motion prevailed.

4 **HB 1215**: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the operation
5 of a golf cart on a state or county highway.

6 Was read the second time.

7 The question being "Shall **HB 1215** pass?"

8 And the roll being called:

9 Yeas 44, Nays 24, Excused 2, Absent 0

10 Yeas: Arlint, Auch, Aylward, Bahmuller, Callies, Chase, Derby, Deutsch, Donnell, Duffy, Emery,
11 Hansen, Heermann, Jamison, Kevin Jensen, Phil Jensen, Karr, Kassin, Koth, Krohmer, Ladner, Lems,
12 Mills, Moore, Mortenson, Mulally, Mulder, Odenbach, Olson, Drew Peterson, Pinnow, Randolph,
13 Rehfeldt, Reisch, Schaeftbauer, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen,
14 Venhuizen, and Wangsness

15 Nays: Blare, Cammack, Chaffee, Drury, Duba, Fitzgerald, Gross, Healy, Krull, Kull, Lesmeister,
16 Massie, May, Nelson, Ernie Otten, Overweg, Sue Peterson, Pourier, Reimer, Sauder, Schneider,
17 Weisgram, Wittman, and Speaker Bartels

18 Excused: DeGroot and Perry

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 **HB 1129**: FOR AN ACT ENTITLED, An Act to modify and establish provisions related to medical
22 cannabis.

23 Was read the second time.

24 Rep. Derby rose to a point of order that Rep. Deutsch was using a paper report as a prop.

25 The question being "Shall **HB 1129** pass?"

26 And the roll being called:

27 Yeas 37, Nays 30, Excused 3, Absent 0

28 Yeas: Auch, Bahmuller, Blare, Callies, Cammack, Chaffee, Deutsch, Duffy, Fitzgerald, Gross,
29 Hansen, Heermann, Kevin Jensen, Karr, Koth, Krohmer, Kull, Ladner, Lems, May, Mills, Moore,
30 Mulder, Odenbach, Overweg, Sue Peterson, Pinnow, Randolph, Reisch, Sauder, Schaeftbauer,
31 Shorma, Sjaarda, Soye, Stevens, Venhuizen, and Wangsness

32 Nays: Arlint, Aylward, Chase, Derby, Donnell, Drury, Duba, Emery, Healy, Jamison, Phil
33 Jensen, Kassin, Krull, Lesmeister, Massie, Mortenson, Mulally, Nelson, Olson, Ernie Otten, Drew
34 Peterson, Rehfeldt, Reimer, Schneider, St. John, Teunissen, Tordsen, Weisgram, Wittman, and
35 Speaker Bartels

1 Excused: DeGroot, Perry, and Poirier

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

4 **HB 1148:** FOR AN ACT ENTITLED, An Act to clarify registration and residence requirements
5 for voting at a township meeting.

6 Was read the second time.

7 Rep. Chase moved that **HB 1148** be amended as follows:

8 1148A

9 On page 1, line 22, of the Introduced bill, after "misdemeanor" insert " pursuant to § 8-3-8"

10 Which motion prevailed.

11 The question being "Shall **HB 1148** pass as amended?"

12 And the roll being called:

13 Yeas 57, Nays 10, Excused 3, Absent 0

14 Yeas: Arlint, Bahmuller, Blare, Callies, Cammack, Chase, Derby, Deutsch, Donnell, Drury,
15 Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann, Jamison, Kevin Jensen, Karr,
16 Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lesmeister, Massie, Mills, Moore, Mortenson, Mulder,
17 Nelson, Odenbach, Olson, Ernie Otten, Overweg, Drew Peterson, Sue Peterson, Pinnow, Rehfeldt,
18 Reimer, Reisch, Sauder, Schneider, Shorma, Sjaarda, St. John, Stevens, Teunissen, Tordsen,
19 Venhuizen, Wangness, Weisgram, Wittman, and Speaker Bartels

20 Nays: Auch, Aylward, Chaffee, Phil Jensen, Lems, May, Mulally, Randolph, Schaeftbauer, and
21 Soye

22 Excused: DeGroot, Perry, and Poirier

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

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

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

28 Was read the second time.

29 The question being "Shall **SB 71** pass?"

30 And the roll being called:

31 Yeas 62, Nays 5, Excused 3, Absent 0

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

1 Peterson, Pinnow, Rehfeldt, Reimer, Reisch, Sauder, Schaeffbauer, Schneider, Shorma, Soye, St.
2 John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and
3 Speaker Bartels

4 Nays: Aylward, Phil Jensen, Mulally, Randolph, and Sjaarda

5 Excused: DeGroot, Perry, and Pourier

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

8 Rep. Drury moved that the House do now adjourn, which motion prevailed and at 3:35 p.m.
9 the House adjourned.

10

Patricia Miller, Chief Clerk

