

JOURNAL OF THE HOUSE

NINETY-EIGHTH SESSION

TWENTY-SIXTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, February 21, 2023

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

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

Roll Call: All members present.

APPROVAL OF THE JOURNAL

Mr. Speaker:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the 25th 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 The oath of office was administered by Speaker Bartels to the following named pages:

2 Taya Chelmo, Kathryn Doom, Emma Forster, Faith Gaye, Nicolette Hoffman, Angelina Lockette,
3 Benjamin Lust, Karina Novotny, Keeleigh Reis-Elwood, Jacob Smiley, Malachi Swift

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

5 **REPORTS OF STANDING COMMITTEES**

6 Mr. Speaker:

7 The Committee on Legislative Procedure respectfully reports that **HB 1041 and 1101** were
8 delivered to her Excellency, the Governor, for her approval at 8:35 a.m., February 17, 2023.

9 Respectfully submitted,
10 Hugh M. Bartels, Chair

11 Mr. Speaker:

12 The Committee on House Local Government respectfully reports that it has had under
13 consideration **HB 1200** and returns the same with the recommendation that said bill be amended
14 as follows:

15 1200A

16 On page 1, line 10, of the Introduced bill, delete "No more than" and insert "At least"

17 On page 1, line 12, of the Introduced bill, delete "may be counted from any one" and insert
18 "must be obtained from each"

19 And that as so amended, **HB 1200** do pass.

20 Also Mr. Speaker:

21 The Committee on House Local Government respectfully reports that it has had under
22 consideration **SB 200** and returns the same with the recommendation that said bill do pass.

23 Respectfully submitted,
24 Mary J. Fitzgerald, Vice-Chair

25 Mr. Speaker:

26 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
27 under consideration **SB 142** which was deferred to the 41st Legislative Day.

28 Also Mr. Speaker:

29 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
30 under consideration **SB 143** and returns the same with the recommendation that said bill do pass.

31 Respectfully submitted,
32 Roger Chase, Chair

1 Mr. Speaker:

2 The House Committee on Appropriations respectfully reports that it has had under
3 consideration **HB 1043, 1075, and 1195** which were deferred to the 41st Legislative Day.

4 Also Mr. Speaker:

5 The House Committee on Appropriations respectfully reports that it has had under
6 consideration **HB 1137** and returns the same with the recommendation that said bill be amended
7 as follows:

8 1137A

9 On page 1, line 6, of the Introduced bill, after "one-half " insert "and two-tenths "

10 On page 1, line 11, of the Introduced bill, after "one-half " insert "and two-tenths "

11 On page 2, line 4, of the Introduced bill, after "one-half " insert "and two-tenths "

12 On page 2, line 10, of the Introduced bill, after "one-half " insert "and two-tenths "

13 On page 2, line 17, of the Introduced bill, after "one-half " insert "and two-tenths "

14 On page 3, line 5, of the Introduced bill, after "one-half " insert "and two-tenths "

15 On page 3, line 16, of the Introduced bill, after "one-half " insert "and two-tenths "

16 On page 3, line 20, of the Introduced bill, after "one-half " insert "and two-tenths "

17 On page 3, line 27, of the Introduced bill, after "one-half " insert "and two-tenths "

18 On page 4, line 12, of the Introduced bill, after "one-half " insert "and two-tenths "

19 On page 4, line 14, of the Introduced bill, after "one-half " insert "and two-tenths "

20 On page 4, line 19, of the Introduced bill, after "one-half " insert "and two-tenths "

21 On page 4, line 28, of the Introduced bill, after "one-half " insert "and two-tenths "

22 On page 5, line 17, of the Introduced bill, after "one-half " insert "and two-tenths "

23 On page 5, line 20, of the Introduced bill, after "one-half " insert "and two-tenths "

24 On page 5, line 28, of the Introduced bill, after "one-half " insert "and two-tenths "

25 And that as so amended, **HB 1137** do pass.

26 Also Mr. Speaker:

27 The House Committee on Appropriations respectfully reports that it has had under
28 consideration **HB 1167** and returns the same with the recommendation that said bill do pass.

29 Respectfully submitted,
30 Mike Derby, Chair

1 Mr. Speaker:

2 The Committee on House Health and Human Services respectfully reports that it has had under
3 consideration **HB 1059** and returns the same with the recommendation that said bill be amended
4 as follows:

5 1059B

6 On page 1, line 1, of the Introduced bill, after "a" delete " certification for"

7 On page 1, line 1, of the Introduced bill, delete " paramedics" and insert " paramedic
8 endorsement"

9 On page 1, line 4, of the Introduced bill, after "SECTION:" insert "A community paramedic
10 endorsement is hereby created. "

11 On page 1, line 4, of the Introduced bill, after "issue" delete " a certification as"

12 On page 1, line 4, of the Introduced bill, after "paramedic" insert " endorsement"

13 On page 1, line 7, of the Introduced bill, after "36-4B-35;" insert " and"

14 On page 1, line 8, of the Introduced bill, after "board" delete "; and"

15 On page 1, line 9, of the Introduced bill, after "and" delete "(4) Pays the fee for certification
16 as a community paramedic set forth in § 36-4B-29"

17 On page 1, line 11, of the Introduced bill, after "a " delete "certification from the board as a "

18 On page 1, line 12, of the Introduced bill, after "paramedic " insert "endorsement "

19 On page 1, line 13, of the Introduced bill, delete "medical director of an ambulance service"
20 and insert " board in accordance with § 36-4B-35"

21 On page 1, line 13, of the Introduced bill, delete " certified as" and insert " with"

22 On page 1, line 13, of the Introduced bill, after "paramedic" insert " endorsement"

23 On page 1, line 17, of the Introduced bill, after "service." delete "Section 3. That § 36-4B-29
24 be AMENDED:

25 "

26 On page 1, line 18, of the Introduced bill, after "AMENDED:" delete "36-4B-29. The board shall
27 promulgate rules pursuant to chapter 1-26 to set fees in each of the following categories in an
28 amount which will produce that produces sufficient revenue for the ensuing fiscal year not to exceed
29 one hundred twenty percent of the anticipated expenses of the board for the operation of the
30 advanced life support program by the board for that year.

31 The license fees for all advanced life support personnel shall be as follows are:

32 (1) Licensure by examination, not less than fifteen dollars nor more than fifty dollars;

33 (2) Reexamination within one year, not less than fifteen dollars nor more than fifty dollars;

34 (3) Licensure by reciprocity, not less than twenty-five dollars nor more than seventy-five
35 dollars;

36 (4) Renewal of a license, not less than ten dollars, nor more than twenty-five dollars;

1 (5) Reissuance of a lost or destroyed license, following approval of the board, not more than
 2 ten dollars; and

3 (6) Certification as a community paramedic, not more than fifty dollars."

4 On page 2, line 20, of the Introduced bill, after "requirements " insert "and conditions "

5 On page 2, line 20, of the Introduced bill, delete " certification as" and insert " issuance of"

6 On page 2, line 21, of the Introduced bill, after "paramedic" insert " endorsement"

7 On page 2, line 22, of the Introduced bill, delete "Process for issuance, renewal, suspension,
 8 and revocation of a certification" and insert " Practice protocols and supervisory requirements for a
 9 person with a community paramedic endorsement"

10 And that as so amended, **HB 1059** do pass, and having been certified as uncontested, be
 11 placed on the consent calendar.

12 Also Mr. Speaker:

13 The Committee on House Health and Human Services respectfully reports that it has had under
 14 consideration **SB 8** and returns the same with the recommendation that said bill be amended as
 15 follows:

16 8A

17 On page 4, line 7, of the Introduced bill, delete "2022" and insert " 2023"

18 And that as so amended, **SB 8** do pass.

19 Also Mr. Speaker:

20 The Committee on House Health and Human Services respectfully reports that it has had under
 21 consideration **HB 1192** which was tabled.

22 Also Mr. Speaker:

23 The Committee on House Health and Human Services respectfully reports that it has had under
 24 consideration **HB 1204, which was reconsidered** with the recommendation that said bill be
 25 amended as follows:

26 1204A

27 On page 1, line 1, of the Introduced bill, after "to " insert "make an appropriation for the
 28 reimbursement of certain costs incurred in providing medical services to an adopted child and to
 29 declare an emergency"

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

31 "

32 **Section 1.** There is hereby appropriated from the general fund the sum of \$2,000,000 to the
 33 Department of Social Services, for the purpose of reimbursing a parent for charges incurred, after
 34 the effective date of this Act, in the provision of medical services to a child who was adopted by the
 35 parent in accordance with chapter 25-6. The amount reimbursable under this section is the
 36 difference between the amount billed by the service provider and the amount covered by any
 37 healthcare insurance available to the parent.

38 For purposes of this section, the term medical services, means those services listed in the state
 39 Medicaid plan.

1 The benefits provided for in this section do not apply in the case of a child adopted by the
 2 child's stepparent, or in the case of a child who has reached the age of twenty-one.

3 The department shall post on its website the time and manner in which a reimbursement under
 4 this section may be requested.

5 **Section 2.** The secretary of the Department of Social Services shall approve vouchers and
 6 the state auditor shall draw warrants to pay expenditures authorized by this Act

7 **Section 3.** Any amounts appropriated in this Act not lawfully expended or obligated shall
 8 revert in accordance with the procedures prescribed in chapter 4-8.

9 **Section 4.** Whereas, this Act is necessary for the immediate preservation of the public peace,
 10 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and
 11 effect from and after its passage and approval.

12 "

13 And that as so amended said bill be referred to the Joint Committee on Appropriations with a
 14 Do Pass recommendation.

15 Respectfully submitted,
 16 Kevin D. Jensen, Chair

17 **MESSAGES FROM THE SENATE**

18 Mr. Speaker:

19 I have the honor to inform your honorable body that the Senate has concurred in House
 20 amendments to **SB 56**.

21 Also Mr. Speaker:

22 I have the honor to transmit herewith **SB 120 and 134** which have passed the Senate and
 23 your favorable consideration is respectfully requested.

24 Respectfully,
 25 Kay Johnson, Secretary

26 **MOTIONS AND RESOLUTIONS**

27 Rep. Mortenson moved that **HB 1138** be placed to follow HB 1226 on today's calendar.

28 Which motion prevailed.

29 Rep. Fitzgerald moved that the House Committee on Appropriations be instructed to deliver
 30 **HB 1075** to the floor of the House, pursuant to JR 7-7.

31 Which motion was not supported.

1

CONSIDERATION OF REPORTS OF COMMITTEES

2

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

3

House Appropriations on **HB 1070** as found on page 322 of the House Journal; also

4

House Appropriations on **HB 1127** as found on page 323 of the House Journal; also

5

House Appropriations on **HB 1166** as found on page 325 of the House Journal; and

6

7

Agriculture and Natural Resources on **HB 1201** as found on page 313 of the House Journal be adopted.

8

Which motion prevailed and the reports were adopted.

9

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

10

11

SB 134: FOR AN ACT ENTITLED, An Act to revise membership of the Medical Marijuana Oversight Committee.

12

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

13

14

SB 120: FOR AN ACT ENTITLED, An Act to increase an amount of property value owned by a local industrial development corporation that is exempt from taxation.

15

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

16

SECOND READING OF CONSENT CALENDAR ITEMS

17

Rep. Mortenson requested that **HB 1065** be removed from the Consent Calendar.

18

19

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

20

21

HB 1220: FOR AN ACT ENTITLED, An Act to provide that a female who undergoes an unlawful abortion may not be held criminally liable.

22

23

SCR 604: A CONCURRENT RESOLUTION, Urging the United States Congress to re-introduce the Consumer and Fuel Retailer Choice Act.

24

Were read the second time.

25

26

The question being "Shall **HB 1220** pass as amended, and **HB 1045** pass, and **SCR 604** be concurred in?"

27

And the roll being called:

28

Yeas 63, Nays 7, Excused 0, Absent 0

29

30

31

Yeas: Arlint, Auch, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Hansen, Healy, Heermann, Jamison, Kevin Jensen, Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lesmeister, Massie, May, Mills, Moore,

1 Mortenson, Mulder, Nelson, Odenbach, Olson, Ernie Otten, Perry, Drew Peterson, Sue Peterson,
 2 Pinnow, Pourier, Rehfeldt, Reimer, Reisch, Sauder, Schaeffbauer, Schneider, Shorma, Sjaarda, Soye,
 3 St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and
 4 Speaker Bartels

5 Nays: Aylward, Gross, Phil Jensen, Lems, Mulally, Overweg, and Randolph

6 So the bills having received an affirmative vote of a majority of the members-elect, the Speaker
 7 declared the bills passed, the resolution concurred in, and the titles were agreed to.

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

9 Rep. Karr moved to withdraw his pending motion to amend **HB 1170** with **HB 1170B**.

10 Which motion prevailed.

11 Rep. Karr moved that **HB 1170** be amended as follows:

12 1170C

13 On page 3, line 18, of the Introduced bill, delete " one year" and insert " two years"

14 On page 3, line 18, of the Introduced bill, after "facility" insert ", one of which must be served
 15 on parole, unless refused pursuant to § 24-15A-15. Any term of parole must include at least one of
 16 the following: enrollment in an alcohol or drug accountability program, an ignition interlock, a breath
 17 alcohol interlock, an alcohol monitoring bracelet, or another enhanced monitoring tool"

18 On page 3, line 18, of the Introduced bill, after "may " delete "not "

19 On page 3, line 18, of the Introduced bill, after "not " delete "only "

20 On page 3, line 18, of the Introduced bill, after "not " insert "only "

21 On page 3, line 19, of the Introduced bill, after "sentence" insert " only"

22 On page 3, line 19, of the Introduced bill, after "sentence" insert " if the court orders the person
 23 to participate in "

24 On page 3, line 19, of the Introduced bill, after "sentence" insert "and complete "

25 On page 3, line 19, of the Introduced bill, after "sentence" insert "a problem-solving court or
 26 other treatment program "

27 On page 3, line 19, of the Introduced bill, after "sentence" insert "drug court program, DUI
 28 court program, veterans treatment court program, or mental health court program, "

29 On page 3, line 19, of the Introduced bill, after "sentence" insert "as a condition of probation"

30 On page 4, line 4, of the Introduced bill, delete "three " and insert "four "

31 On page 4, line 4, of the Introduced bill, after "facility" insert ", one of which must be served
 32 on parole, unless refused pursuant to § 24-15A-15. Any term of parole must include at least one of
 33 the following: enrollment in an alcohol or drug accountability program, an ignition interlock, a breath
 34 alcohol interlock, an alcohol monitoring bracelet, or another enhanced monitoring tool"

1 On page 4, line 5, of the Introduced bill, after "may " delete "not "

2 On page 4, line 5, of the Introduced bill, after "sentence" insert " only if the court orders the
3 person to participate in and complete a drug court program, DUI court program, veterans treatment
4 court program, or mental health court program, as a condition of probation"

5 On page 4, line 14, of the Introduced bill, delete "five " and insert "six "

6 On page 4, line 14, of the Introduced bill, after "facility" insert ", one of which must be served
7 on parole, unless refused pursuant to § 24-15A-15"

8 On page 4, line 14, of the Introduced bill, after "facility" insert ". Any term of parole must
9 include at least one of the following: enrollment in an alcohol or drug accountability program, an
10 ignition interlock, a breath alcohol interlock, an alcohol monitoring bracelet, or another enhanced
11 monitoring tool"

12 On page 4, line 14, of the Introduced bill, after "may " delete "not "

13 On page 4, line 14, of the Introduced bill, after "sentence" insert " only if the court orders the
14 person to participate in and complete a drug court program, DUI court program, veterans treatment
15 court program, or mental health court program, as a condition of probation"

16 On page 5, line 9, of the Introduced bill, after "respectively." delete "Section 5. That chapter
17 32-23 be amended with a NEW SECTION:

18 "

19 On page 5, line 10, of the Introduced bill, after "SECTION:" delete "Any person subject to a
20 mandatory sentence under §§ 32-23-4. 6, 32-23-4. 7, or 32-23-4. 9 is not eligible for parole
21 consideration."

22 Which motion prevailed.

23 The question being "Shall **HB 1170** pass as amended?"

24 And the roll being called:

25 Yeas 58, Nays 12, Excused 0, Absent 0

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

32 Nays: Aylward, Duba, Healy, Phil Jensen, Lems, Mortenson, Mulally, Nelson, Randolph, Reisch,
33 Venhuizen, and Wittman

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 **HB 1240:** FOR AN ACT ENTITLED, An Act to amend provisions addressing guardianships and
37 conservatorships.

38 Was read the second time.

1 The question being "Shall **HB 1240** pass as amended?"

2 And the roll being called:

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

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

11 Nays: Donnell, Ernie Otten, and Stevens

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

14 **HB 1217:** FOR AN ACT ENTITLED, An Act to modify the requirements for eligibility to vote by
15 absentee ballot.

16 Was read the second time.

17 The question being "Shall **HB 1217** pass?"

18 And the roll being called:

19 Yeas 35, Nays 35, Excused 0, Absent 0

20 Yeas: Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Derby, Deutsch, Donnell,
21 Gross, Hansen, Kevin Jensen, Phil Jensen, Karr, Krohmer, Krull, Ladner, Lems, Massie, May, Mills,
22 Moore, Mulally, Odenbach, Overweg, Perry, Sue Peterson, Randolph, Reimer, Schaeftbauer, Shorma,
23 Sjaarda, Soye, and Wangsness

24 Nays: Arlint, Chase, DeGroot, Drury, Duba, Duffy, Emery, Fitzgerald, Healy, Heermann,
25 Jamison, Kassin, Koth, Kull, Lesmeister, Mortenson, Mulder, Nelson, Olson, Ernie Otten, Drew
26 Peterson, Pinnow, Pourier, Rehfeldt, Reisch, Sauder, Schneider, St. John, Stevens, Teunissen,
27 Tordsen, Venhuizen, Weisgram, Wittman, and Speaker Bartels

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

30 Rep. Odenbach announced his intention to reconsider the vote by which **HB 1217** lost.

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

33 Was read the second time.

34 The question being "Shall **HB 1039** pass as amended?"

35 And the roll being called:

36 Yeas 66, Nays 4, Excused 0, Absent 0

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

8 Nays: Aylward, Phil Jensen, Mulally, and Randolph

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

11 **HB 1226:** FOR AN ACT ENTITLED, An Act to regulate industrial hemp-derived delta-8 and
 12 delta-10 tetrahydrocannabinol products, and other hemp-derived psychoactive compounds, and to
 13 declare an emergency.

14 Was read the second time.

15 Rep. Sue Peterson moved that **HB 1226** be amended as follows:

16 1226D

17 On page 1, line 1, of the House State Affairs Engrossed bill, delete "regulate industrial hemp-
 18 derived delta-8 and delta-10 tetrahydrocannabinol products, and other hemp-derived psychoactive
 19 compounds, and to declare an emergency" and insert "prohibit isomerization of"

20 On page 1, line 3, after "emergency " insert " cannabinoids, and the sale of synthetic
 21 tetrahydrocannabinol"

22 On the House State Affairs Engrossed bill, delete everything after the enacting clause and
 23 insert:

24 "

25 **Section 1. That chapter 34-20B be amended with a NEW SECTION:**

26 No person or entity may:

27 (1) Engage in the isomerization of cannabinoids to create isomers of tetrahydrocannabinol;
 28 and

29 (2) Knowingly manufacture, distribute, or dispense a product intended for human consumption
 30 containing hemp-derived synthetic cannabinoids or the synthetic equivalents of
 31 tetrahydrocannabinols contained in a plant of the genus cannabis or cannabis sativa L., or in the
 32 resinous extractives of the plant, or synthetic substances, derivatives, and their isomers with similar
 33 chemical structure and pharmacological activity to those substances contained in the plant, including
 34 delta-8, and delta-10 tetrahydrocannabinol, THC-O acetate, hexahydrocannabinol, and any
 35 compounds of these structures regardless of atomic positions.

36 A violation of this section is a Class 1 misdemeanor."

37 Rep. Gross requested a roll call vote.

38 Which was supported.

39 And the roll being called:

40 Yeas 34, Nays 36, Excused 0, Absent 0

1 Yeas: Auch, Callies, Derby, Deutsch, Donnell, Fitzgerald, Gross, Hansen, Heermann, Kevin
2 Jensen, Karr, Krohmer, Krull, Kull, Ladner, Lems, May, Mills, Moore, Mulder, Odenbach, Overweg,
3 Perry, Sue Peterson, Randolph, Reisch, Schaeffbauer, Schneider, Shorma, Sjaarda, Soye, Teunissen,
4 Weisgram, and Speaker Bartels

5 Nays: Arlint, Aylward, Bahmuller, Blare, Cammack, Chaffee, Chase, DeGroot, Drury, Duba,
6 Duffy, Emery, Healy, Jamison, Phil Jensen, Kassin, Koth, Lesmeister, Massie, Mortenson, Mulally,
7 Nelson, Olson, Ernie Otten, Drew Peterson, Pinnow, Pourier, Rehfeldt, Reimer, Sauder, St. John,
8 Stevens, Tordsen, Venhuizen, Wangsness, and Wittman

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

11 The question being "Shall **HB 1226** pass as amended?"

12 And the roll being called:

13 Yeas 48, Nays 22, Excused 0, Absent 0

14 Yeas: Arlint, Auch, Bahmuller, Blare, Cammack, Chaffee, Chase, DeGroot, Derby, Drury, Duba,
15 Duffy, Emery, Healy, Heermann, Jamison, Kassin, Koth, Krohmer, Krull, Kull, Lesmeister, Massie,
16 May, Mortenson, Mulder, Nelson, Odenbach, Olson, Ernie Otten, Overweg, Drew Peterson, Pinnow,
17 Pourier, Rehfeldt, Reimer, Sauder, Schneider, Soye, St. John, Stevens, Teunissen, Tordsen,
18 Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

19 Nays: Aylward, Callies, Deutsch, Donnell, Fitzgerald, Gross, Hansen, Kevin Jensen, Phil Jensen,
20 Karr, Ladner, Lems, Mills, Moore, Mulally, Perry, Sue Peterson, Randolph, Reisch, Schaeffbauer,
21 Shorma, and Sjaarda

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

24 **HB 1138:** FOR AN ACT ENTITLED, An Act to require updated cost report information for certain
25 community-based health and human services providers.

26 Was read the second time.

27 The question being "Shall **HB 1138** pass as amended?"

28 And the roll being called:

29 Yeas 65, Nays 5, Excused 0, Absent 0

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

37 Nays: Aylward, Phil Jensen, Mortenson, Mulally, and Randolph

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

1

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

2

3

SB 150: FOR AN ACT ENTITLED, An Act to add provisions regarding construction and maintenance of livestock pipelines on highways.

4

Was read the second time.

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The question being "Shall **SB 150** pass?"

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And the roll being called:

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Yeas 66, Nays 4, Excused 0, Absent 0

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

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Nays: Aylward, Phil Jensen, Mulally, and Randolph

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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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Rep. Drury moved that the House do now adjourn, which motion prevailed and at 4:44 p.m. the House adjourned.

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Patricia Miller, Chief Clerk

