

JOURNAL OF THE HOUSE

NINETY-EIGHTH SESSION

THIRTY-SEVENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, March 09, 2023

The House convened at 9:00 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Tori Troen, followed by the Pledge of Allegiance led by House pages Robert Arnold and Paige Westergren.

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 36th 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

MOTIONS AND RESOLUTIONS

2

Rep. Mortenson moved that the House do now recess until 10:00 a.m.

3

Which motion prevailed and at 9:05 a.m., the House recessed.

4

RECESS

5

The House reconvened at 10:00 a.m., the Speaker presiding.

6

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

14 A RESOLUTION, Expressing the appreciation and gratitude of the House of Representatives of
15 the Ninety-eighth Legislature of the State of South Dakota to Imogen Bengs, Abiah George, Madelyn
16 Hinkelman, Maxwell Kelsey, Addison Keucker, Nicholas Maas, Charlie Prien, Reese Schmidt, and
17 Breanna Wollman.

18 WHEREAS, the above named served loyally as pages for the House of Representatives of the
19 Ninety-eighth Legislative Session; and

20 WHEREAS, the members of the Ninety-eighth House of Representatives express their most
21 sincere appreciation to these young people for their service to the state; and

22 WHEREAS, the members extend to these young people their wishes for every success in life:

23 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-eighth
24 Legislature of the State of South Dakota, that a personal copy of this resolution be duly certified
25 and furnished to each page on this last day of service.

26 Rep. Drew Peterson moved that House Page Resolution 5 be adopted.

27 Which motion prevailed and the resolution was adopted.

28

COMMUNICATIONS AND PETITIONS

29 March 8, 2023

30 Mr. Speaker and Members of the House:

31 I have the honor to inform you that on March 8, 2023, I approved House Bills 1006, 1007,
32 1009, 1032, 1056, 1114, 1162, 1189, 1191, and 1215, and the same have been deposited in the
33 office of the Secretary of State.

34

Respectfully submitted,

35

Kristi Noem

36

Governor

1

REPORTS OF STANDING COMMITTEES

2 Mr. Speaker:

3 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
4 Enrolling has carefully compared **HB 1022** and finds the same correctly enrolled.

5 Respectfully submitted,
6 Hugh M. Bartels, Chair

7 Mr. Speaker:

8 The Committee on Legislative Procedure respectfully reports that **HB 1185** was delivered to
9 her Excellency, the Governor, for her approval at 8:15 p.m., March 9, 2023.

10 Respectfully submitted,
11 Hugh M. Bartels, Chair

12

MESSAGES FROM THE SENATE

13 Mr. Speaker:

14 I have the honor to inform your honorable body that the Senate has failed to concur in House
15 amendments to **SB 104** and has appointed Senators Hunhoff (Chair), Breitling, and Foster as a
16 committee of three on the part of the Senate to meet with a like committee on the part of the House
17 to adjust the differences between the two houses.

18 The Speaker appointed Representatives Bartels (Chair), Karr, and Lesmeister as a committee
19 of three on the part of the House to meet with a like committee on the part of the Senate to adjust
20 the differences between the two houses on **SB 104**.

21 Also Mr. Speaker:

22 I have the honor to inform your honorable body that the Senate has adopted the reports of
23 the Conference Committees on **SB 16, 59, 105, 134, and 149**.

24 Also Mr. Speaker:

25 I have the honor to inform your honorable body that the Senate has appointed
26 Senators Duhamel (Chair), Steve Kolbeck, and Tobin as a committee of three on the part of the
27 Senate to meet with a like committee on the part of the House to adjust the differences between
28 the two houses on **SB 134**.

29 Respectfully,
30 Kay Johnson, Secretary

1

MOTIONS AND RESOLUTIONS

2

Rep. Mortenson moved that when we adjourn today, we adjourn to convene at 9:00 a.m. on Monday, March 27, 2023, the 38th legislative day.

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4

Which motion prevailed.

5

CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES

6

Mr. Speaker:

7

The SB16 A Conference Committee on **SB 16** respectfully reports that it has considered the disagreement of the two houses, and returns the same with the recommendation that said bill be amended as follows:

8

9

10

16F

11

On page 1, line 4, of the House Engrossed bill, delete "\$1,869" and insert "\$6,250,000".

12

Respectfully submitted,
John Wiik, Chair

13

Respectfully submitted,
Fred Deutsch, Chair

14

Rep. Deutsch moved that the report of the Conference Committee on **SB 16** be adopted.

15

The question being on Rep. Deutsch's motion that the report of the Conference Committee on **SB 16** be adopted.

16

17

And the roll being called:

18

Yeas 53, Nays 16, Excused 1, Absent 0

19

Yeas: Arlint, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Healy, Heermann, Jamison, Kevin Jensen, Kassin, Koth, Krull, Kull, Ladner, Lesmeister, Massie, Mills, Moore, Mortenson, Nelson, Olson, Ernie Otten, Perry, Drew Peterson, Sue Peterson, Pinnow, Poirier, Rehfeldt, Reimer, Reisch, Sauder, Schaeftbauer, Schneider, Shorma, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Weisgram, Wittman, and Speaker Bartels

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Nays: Auch, Aylward, Gross, Hansen, Phil Jensen, Karr, Krohmer, Lems, May, Mulally, Mulder, Odenbach, Overweg, Randolph, Sjaarda, and Soye

26

27

Excused: Wangsness

28

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and the report was adopted.

29

30

Mr. Speaker:

31

The SB59 A Conference Committee on **SB 59** respectfully reports that it has considered the disagreement of the two houses, and returns the same with the recommendation that said bill be amended as follows:

32

33

1 _____ 59F

2 On page 1, line 2, of the House Engrossed bill, delete " infrastructure projects" and insert "
3 programs"

4 On page 1, line 5, of the House Engrossed bill, delete "\$5" and insert "\$5,000,000"

5 On page 1, line 7, of the House Engrossed bill, delete "the construction, addition, and equipping
6 of " and insert " equipment for "

7 On page 1, line 7, of the House Engrossed bill, after "existing" delete " area"

8 On page 1, line 7, of the House Engrossed bill, delete " centers" and insert " and technical
9 education programs"

10 On page 1, line 9, of the House Engrossed bill, after "grants. " insert "To be eligible for a grant,
11 a school district must partner, or intend to partner, with another school district or multidistrict to
12 offer the applicable career and technical education program. "

13 On page 1, line 10, of the House Engrossed bill, delete " an applicant" and insert " a school
14 district or multidistrict"

15 On page 1, line 11, of the House Engrossed bill, delete "(1) Collaborates with another school
16 district or multidistrict in operating an existing area career center, or intends to collaborate with
17 other school districts or multidistricts by establishing a new area career center;

18 (2)" and insert "(1)"

19 On page 1, line 16, of the House Engrossed bill, delete "(3)" and insert "(2)"

20 On page 1, line 17, of the House Engrossed bill, delete " a" and insert " the"

21 On page 1, line 17, of the House Engrossed bill, delete " expanded area" and insert " existing"

22 On page 1, line 17, of the House Engrossed bill, delete " center" and insert " and technical
23 education program"

24 On page 1, line 19, of the House Engrossed bill, after "of" delete " matching"

25 On page 1, line 21, of the House Engrossed bill, delete " project" and insert " career and
26 technical education program".

27 Respectfully submitted,
28 David Wheeler, Chair

Respectfully submitted,
Hugh M. Bartels, Chair

29 Rep. Schneider moved that the report of the Conference Committee on **SB 59** be adopted.

30 The question being on Rep. Schneider's motion that the report of the Conference Committee
31 on **SB 59** be adopted.

32 And the roll being called:

33 Yeas 51, Nays 17, Excused 2, Absent 0

34 Yeas: Arlint, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby, Deutsch,
35 Donnell, Drury, Duba, Duffy, Emery, Healy, Heermann, Jamison, Kevin Jensen, Kassin, Koth,
36 Krohmer, Krull, Kull, Ladner, Lesmeister, Massie, Moore, Mortenson, Mulally, Nelson, Olson, Ernie
37 Otten, Perry, Drew Peterson, Sue Peterson, Pourier, Rehfeldt, Reisch, Sauder, Schaeffbauer,

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

3 Nays: Auch, Aylward, Fitzgerald, Gross, Phil Jensen, Karr, Lems, May, Mills, Mulder, Odenbach,
4 Overweg, Pinnow, Randolph, Reimer, Sjaarda, and Soye

5 Excused: Hansen and Wangsness

6 So the motion having received an affirmative vote of a two-thirds majority of the members-
7 elect, the Speaker declared the motion carried and the report was adopted.

8 Mr. Speaker:

9 The SB134 B Conference Committee on **SB 134** respectfully reports that it has considered the
10 disagreement of the two houses, and returns the same with the recommendation that said bill be
11 amended as follows:

12 1340

13 On the House Health and Human Services Engrossed bill, delete everything after the enacting
14 clause and insert:

15 "

16 **Section 1. That § 34-20G-92 be AMENDED:**

17 **34-20G-92.** ~~The Executive Board of the Legislative Research Council shall appoint an oversight~~
18 ~~committee comprised of: one member of the House of Representatives, one member of the Senate,~~
19 ~~one Division of Criminal Investigation agent, one staff member from the Office of the Attorney~~
20 ~~General, two representatives of law enforcement, one representative from the department, one~~
21 ~~practitioner with experience in medical cannabis issues, one nurse, one board member or principal~~
22 ~~officer of a cannabis testing facility, one person with experience in policy development or~~
23 ~~implementation in the field of medical cannabis, and three qualifying patients consisting of:~~

24 (1) Two members of the Senate;

25 (2) Two members of the House of Representatives;

26 (3) One physician licensed in accordance with chapter 36-4;

27 (4) One physician assistant licensed in accordance with chapter 36-4A;

28 (5) One certified nurse practitioner licensed in accordance with chapter 36-9A;

29 (6) One chief of police for a municipality having a population in excess of fifty-thousand, or a
30 representative of the police department designated by the chief;

31 (7) One sheriff of a county or a representative of the sheriff's office designated by the
32 sheriff;

33 (8) One professional counselor licensed in accordance with chapter 36-32 or one
34 addiction counselor licensed in accordance with chapter 36-34; and

35 (9) One qualifying patient.

36 Each appointee shall serve for a term of two years and may be reappointed.

1 **Section 2. That chapter 34-20G be amended with a NEW SECTION:**

2 Beginning in 2023, and every two years thereafter, the oversight committee shall select from
 3 among itself one legislator to serve as the chair and one legislator, from the opposite chamber, to
 4 serve as the vice chair.

5 Beginning in 2025, the legislators selected to serve as the chair and vice chair may not be from
 6 the same chamber as their immediate predecessors.

7 **Section 3. That § 34-20G-93 be AMENDED:**

8 **34-20G-93.** The oversight committee shall meet at least two times per year for the purpose
 9 of evaluating and making recommendations to the Legislature and the department regarding:

10 (1) The ability of qualifying patients in all areas of the state to obtain timely access to
 11 high-quality medical cannabis;

12 (2) The effectiveness of the dispensaries and cultivation facilities, individually and
 13 together, in serving the needs of qualifying patients, including the provision of educational and
 14 support services by dispensaries, the reasonableness of their prices, whether they are generating
 15 any complaints or security problems, and the sufficiency of the number operating to serve the state's
 16 registered qualifying patients;

17 (3) The effectiveness of the cannabis testing facilities, including whether a sufficient
 18 number are operating;

19 (4) The sufficiency of the regulatory and security safeguards contained in this chapter
 20 and adopted by the department to ensure that access to and use of cannabis cultivated is provided
 21 only to cardholders;

22 (5) Any recommended additions or revisions to the department regulations or this
 23 chapter, including relating to security, safe handling, labeling, and nomenclature; and

24 (6) Any research studies regarding health effects of medical cannabis for patients.

25 The oversight committee shall ensure that it seeks relevant input from qualifying patients;
 26 designated caregivers; pharmacists; school boards and administrators; parents; municipal
 27 representatives; state agencies, including the Department of Health, the South Dakota Division of
 28 Criminal Investigation, and the Department of Public Safety; and medical cannabis establishments.

29 "

30 Respectfully submitted,
 31 Helene Duhamel, Chair

Respectfully submitted,
 Liz May, Chair

32 Rep. May moved that the report of the Conference Committee on **SB 134** be adopted.

33 The question being on Rep. May's motion that the report of the Conference Committee on
 34 **SB 134** be adopted.

35 And the roll being called:

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

37 Yeas: Arlint, Auch, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby,
 38 Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Heermann, Jamison, Kevin Jensen,
 39 Phil Jensen, Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems, Massie, May, Mills, Moore,
 40 Mortenson, Mulally, Nelson, Odenbach, Olson, Ernie Otten, Overweg, Perry, Drew Peterson, Sue

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

3 Nays: Aylward, Healy, Lesmeister, Mulder, and Pourier

4 Excused: Hansen, Stevens, and Wangsness

5 So the motion having received an affirmative vote of a majority of the members-elect, the
6 Speaker declared the motion carried and the report was adopted.

7 Rep. Mortenson moved that the House do now recess until 11:30 a.m.

8 Which motion prevailed and at 10:21 a.m., the House recessed.

9 **RECESS**

10 The House reconvened at 11:30 a.m., Speaker Pro Tem Stevens presiding.

11 Rep. Rehfeldt moved that the House do now recess until 2:00 p.m.

12 Which motion prevailed and at 11:30 p.m., the House recessed.

13 **RECESS**

14 The House reconvened at 2:05 p.m., the Speaker presiding.

15 There being no objection, the House reverted to Order of Business No. 4 - Communications
16 and Petitions.

17 **COMMUNICATIONS AND PETITIONS**

18 March 9, 2023

19 Mr. Speaker and Members of the House:

20 I have the honor to inform you that on March 9, 2023, I approved House Bill 1196, and the
21 same has been deposited in the office of the Secretary of State.

22
23
24

Respectfully submitted,
Kristi Noem
Governor

1

CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES

2

Mr. Speaker:

3

The SB104 A Conference Committee on **SB 104** respectfully reports that it has considered the disagreement of the two houses, and returns the same with the recommendation that said bill be amended as follows:

4

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104C

6

On page 1, line 1, of the House Engrossed bill, delete "reduce certain gross receipts tax rates and a use tax rate, and to repeal a conditional reduction of certain gross receipts tax rates" and insert "reallocate monies in the state treasury for broadband projects and to declare an emergency"

7

8

9

On the House Engrossed bill, delete everything after the enacting clause and insert:

10

"

11

Section 1. That section 1 of chapter 218 of the 2021 Session Laws be AMENDED:

12

There is hereby appropriated from the general fund the sum of ~~\$75,000,000~~ \$45,000,000 to the Governor's Office of Economic Development, for purposes of expanding broadband throughout the state of South Dakota.

13

14

15

Section 2. There is hereby appropriated \$30,000,000 from the American Rescue Plan Act State Fiscal Recovery Fund, to the Governor's Office of Economic Development, for the purpose of providing grants for eligible broadband projects in accordance with federal guidance.

16

17

18

Section 3. The commissioner of the Governor's Office of Economic Development shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

19

20

21

Section 4. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

22

23

24

Respectfully submitted,
Jean Hunhoff, Chair

25

Respectfully submitted,
Hugh M. Bartels, Chair

26

Rep. Karr moved that the report of the Conference Committee on **SB 104** be adopted.

27

The question being on Rep. Karr's motion that the report of the Conference Committee on **SB 104** be adopted.

28

29

And the roll being called:

30

Yeas 67, Nays 3, Excused 0, Absent 0

31

Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, 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, Perry, Drew Peterson, Sue Peterson, Pourier, Randolph, Rehfeldt, Reimer, Reisch, Sauder, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Wittman, and Speaker Bartels

32

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1 Nays: Fitzgerald, Pinnow, and Weisgram

2 So the motion having received an affirmative vote of a two-thirds majority of the members-
3 elect, the Speaker declared the motion carried and the report was adopted.

4 Mr. Speaker:

5 The SB156 A Conference Committee on **SB 156** respectfully reports that it has considered the
6 disagreement of the two houses, and returns the same with the recommendation that said bill be
7 amended as follows:

8 156H

9 On page 1, line 4, of the House Engrossed bill, delete "\$1,944" and insert "\$50,000,000".

10 Respectfully submitted,
11 Helene Duhamel, Chair

Respectfully submitted,
Hugh M. Bartels, Chair

12 Rep. Karr moved that the report of the Conference Committee on **SB 156** be adopted.

13 The question being on Rep. Karr's motion that the report of the Conference Committee on
14 **SB 156** be adopted.

15 And the roll being called:

16 Yeas 45, Nays 25, Excused 0, Absent 0

17 Yeas: Arlint, Blare, Callies, Cammack, Chaffee, Chase, Derby, Donnell, Drury, Duba, Duffy,
18 Emery, Healy, Heermann, Jamison, Karr, Kassin, Koth, Krohmer, Krull, Ladner, Lesmeister, Massie,
19 Moore, Mortenson, Mulder, Nelson, Olson, Ernie Otten, Perry, Drew Peterson, Sue Peterson, Pourier,
20 Rehfeldt, Reimer, Reisch, Schaeffbauer, Schneider, St. John, Stevens, Tordsen, Venhuizen,
21 Wangsness, Wittman, and Speaker Bartels

22 Nays: Auch, Aylward, Bahmuller, DeGroot, Deutsch, Fitzgerald, Gross, Hansen, Kevin Jensen,
23 Phil Jensen, Kull, Lems, May, Mills, Mulally, Odenbach, Overweg, Pinnow, Randolph, Sauder,
24 Shorma, Sjaarda, Soye, Teunissen, and Weisgram

25 So the motion not having received an affirmative vote of a two-thirds majority of the members-
26 elect, the Speaker declared the motion lost.

27 Mr. Speaker:

28 The SB113 A Conference Committee on **SB 113** respectfully reports that it has considered the
29 disagreement of the two houses, and returns the same with the recommendation that said bill be
30 amended as follows:

31 113K

32 On page 1, line 3, of the House State Affairs Engrossed bill, after "Dakota:" delete "Section 1.
33 "

34 On page 1, line 3, of the House State Affairs Engrossed bill, after "1. " delete "The Legislature
35 finds that the Secretary of State has various administrative functions that are necessary to ensure
36 a fair and orderly petition and election process. These functions include but are not limited to
37 sampling signatures to ensure their validity; certifying measures for the ballot; and preparing,
38 printing, and distributing ballots.

1 The Legislature finds that in addition to these administrative functions, it is also essential to
2 provide sufficient time for the resolution of any legal challenges related to the petition circulation
3 process. Such challenges may involve allegations of fraud, forgery, filing of false instruments, or
4 other illegalities, and may be subject to review by both the Circuit Court and the Supreme Court.

5 The Legislature finds that such litigation can be time-consuming and complex, and therefore,
6 it is necessary to allow adequate time for it to be conducted in a thorough and fair manner.

7 Accordingly, the Legislature finds that it is important to establish a clear timeline for the
8 election process and deadline for petition submission that allows for both the Secretary of State's
9 administrative functions and the resolution of any legal challenges.

10 To this end, the Legislature determines that the following time windows are necessary:

11 The Legislature finds that general election day in South Dakota is the Tuesday after the first
12 Monday in November. Therefore, general election day occurs within November 2 to November 8.

13 The Legislature finds that the absentee voting period begins 46 days prior to the general
14 election. Therefore, absentee voting begins within September 17 to September 23.

15 The Legislature finds that the South Dakota Secretary of State requires approximately one
16 month to prepare and print all ballots to be used on general election day. Therefore, the time period
17 for preparing and printing ballots must begin within August 18 to August 24.

18 The Legislature finds that 60 days time is minimally sufficient to accommodate an appeal in
19 the Supreme Court. Therefore, the time window for an appeal in the Supreme Court must begin
20 within June 19 to June 25.

21 The Legislature finds that 60 days time is minimally sufficient to accommodate an action in
22 circuit court to challenge the validity of petition signatures. Therefore, the time window for a circuit
23 court challenge must begin within April 20 to April 26.

24 The Legislature finds that the South Dakota Secretary of State requires approximately 45 days
25 to review petition signatures for validity and certify a measure for the ballot. Therefore, the time
26 window for a circuit court challenge must begin within March 6 to March 12.

27 Therefore, the Legislature finds that the petition submission deadline shall be the second
28 Tuesday in March."

29 On page 3, line 12, of the House State Affairs Engrossed bill, delete " second" and insert " first"

30 On page 3, line 13, of the House State Affairs Engrossed bill, delete " March" and insert " May"

31 On page 4, line 11, of the House State Affairs Engrossed bill, delete " second" and insert " first"

32 On page 4, line 12, of the House State Affairs Engrossed bill, delete " March" and insert " May"

33 On page 4, line 18, of the House State Affairs Engrossed bill, after "shall " insert "promptly "

34 On page 4, line 18, of the House State Affairs Engrossed bill, after "examine " insert "and
35 catalogue "

36 On page 4, line 24, of the House State Affairs Engrossed bill, after "§ 2-1-16 " insert "within
37 five days of completing the examination and cataloguing of the petition signatures "

1 On page 4, line 25, of the House State Affairs Engrossed bill, delete " within thirty days of a"
2 and insert " upon".

3 Respectfully submitted,
4 Casey Crabtree, Chair

Respectfully submitted,
Jon Hansen, Chair

5 Rep. Hansen moved that the report of the Conference Committee on **SB 113** be adopted.

6 The question being on Rep. Hansen's motion that the report of the Conference Committee on
7 **SB 113** be adopted.

8 And the roll being called:

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

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

17 Nays: Aylward, Chase, Phil Jensen, Mulally, and Randolph

18 So the motion having received an affirmative vote of a majority of the members-elect, the
19 Speaker declared the motion carried and the report was adopted.

20 Mr. Speaker:

21 The HB1137 A Conference Committee on **HB 1137** respectfully reports that it has considered
22 the disagreement of the two houses, and returns the same with the recommendation that said bill
23 be amended as follows:

24 1137R

25 On page 1, line 6, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

26 On page 1, line 11, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

27 On page 2, line 4, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

28 On page 2, line 10, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

29 On page 2, line 17, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

30 On page 3, line 5, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

31 On page 3, line 16, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

32 On page 3, line 20, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

33 On page 3, line 27, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

34 On page 4, line 12, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

35 On page 4, line 15, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

1 On page 4, line 20, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

2 On page 4, line 29, of the Senate Engrossed bill, delete " three-tenths" and insert " two tenths"

3 On page 5, line 17, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

4 On page 5, line 20, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

5 On page 5, line 28, of the Senate Engrossed bill, delete " three-tenths" and insert " two-tenths"

6 On page 5, after line 30, of the Senate Engrossed bill, insert: "

7 **Section 17. That § 32-5B-20 be AMENDED:**

8 **32-5B-20.** There is hereby imposed a tax of four and ~~one-half~~ two-tenths percent upon the
9 gross receipts of any person renting a rental vehicle as defined in § 32-5B-19. This tax applies to
10 all vehicles registered in accordance with § 32-5-6, 32-5-8.1, or 32-5-9. Any rental vehicle not
11 licensed in accordance with § 32-5-6, 32-5-8.1, or 32-5-9 is subject to the motor vehicle excise tax
12 in § 32-5B-1.

13 The tax imposed by this section is in addition to any tax levied pursuant to chapter 10-45 or
14 10-46 upon the rental of a rental vehicle. The provisions of chapter 10-45 apply to the administration
15 and enforcement of the tax imposed by this section. The tax imposed by this section is in lieu of the
16 tax levied by § 32-5B-1 on the sales of such motor vehicles. A violation of this section is a Class 1
17 misdemeanor."

18 On page 6, line 13, of the Senate Engrossed bill, delete " 16" and insert " 17"

19 On page 6, line 14, of the Senate Engrossed bill, delete "2025" and insert " 2027".

20 Respectfully submitted,
21 Will Mortenson, Chair

Respectfully submitted,
Casey Crabtree, Chair

22 Rep. Mortenson moved that the report of the Conference Committee on **HB 1137** be adopted.

23 The question being on Rep. Mortenson's motion that the report of the Conference Committee
24 on **HB 1137** be adopted.

25 And the roll being called:

26 Yeas 70, Nays 0, Excused 0, Absent 0

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

34 So the motion having received an affirmative vote of a majority of the members-elect, the
35 Speaker declared the motion carried and the report was adopted.

1 There being no objection, the House reverted to Order of Business No. 7 - Messages from the
2 Senate.

3

MESSAGES FROM THE SENATE

4 Mr. Speaker:

5 I have the honor to inform your honorable body that the Senate has adopted the report of the
6 Conference Committee on **SB 113**.

7 Also Mr. Speaker:

8 I have the honor to inform your honorable body that the Senate has failed to concur in House
9 amendments to **SB 112** and no committee was appointed.

10
11

Respectfully,
Kay Johnson, Secretary

12

REPORTS OF STANDING COMMITTEES

13 Mr. Speaker:

14 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
15 Enrolling has carefully compared **HB 1137** and finds the same correctly enrolled.

16
17

Respectfully submitted,
Hugh M. Bartels, Chair

18 Mr. Speaker:

19 The Committee on Legislative Procedure respectfully reports that **HB 1022** was delivered to
20 her Excellency, the Governor, for her approval at 4:00 p.m., March 9, 2023.

21
22

Respectfully submitted,
Hugh M. Bartels, Chair

23 Mr. Speaker:

24 The Joint Committee on Appropriations respectfully reports that it has had under consideration
25 **HB 1049** and returns the same with the recommendation that said bill be amended as follows:

26

1049A

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

28 "

1 **Section 1.** That section 3 of chapter 191 of the 2022 Session Laws be amended to read:

2 BUREAU OF FINANCE AND MANAGEMENT (BFM)

3 (6) Employee Compensation and Billing Pools

4 Operating Expenses, General Funds, delete "\$1,613,134" and insert "\$2,689,726"

5 Operating Expenses, Federal Funds, delete "\$583,610" and insert "\$888,411"

6 Operating Expenses, Other Funds, delete "\$1,775,573" and insert "\$3,205,120"

7 **Section 2.** That section 4 of chapter 191 of the 2022 Session Laws be amended to read:

8 BUREAU OF ADMINISTRATION (BOA)

9 (2) Central Services

10 Operating Expenses, Other Funds, delete "\$20,099,286" and insert "\$19,412,443"

11 **Section 3.** That section 5 of chapter 191 of the 2022 Session Laws be amended to read:

12 BUREAU OF INFORMATION AND TELECOMMUNICATIONS (BIT)

13 (4) South Dakota Public Broadcasting

14 Operating Expenses, General Funds, delete "\$1,418,271" and insert "\$1,578,671"

15 **Section 4.** That section 7 of chapter 191 of the 2022 Session Laws be amended to read:

16 DEPARTMENT OF REVENUE

17 (1) Administration, Secretary of Revenue

18 Operating Expenses, Other Funds, delete "\$1,792,944" and insert "\$2,182,944"

19 (3) Motor Vehicles

20 Operating Expenses, Federal Funds, delete "\$318,147" and insert "\$534,847"

21 Operating Expenses, Other Funds, delete "\$6,621,618" and insert "\$7,371,618"

22 (8) Commission on Gaming - Informational

23 Operating Expenses, Other Funds, delete "\$9,620,274" and insert "\$9,657,774"

24 **Section 5.** That section 10 of chapter 191 of the 2022 Session Laws be amended to read:

25 DEPARTMENT OF GAME, FISH AND PARKS

26 (4) State Parks and Recreation

27 Operating Expenses, Other Funds, delete "\$11,334,165" and insert "\$12,084,165"

1 **Section 6.** That section 12 of chapter 191 of the 2022 Session Laws be amended to read:

2 DEPARTMENT OF SOCIAL SERVICES

3 (1) Administration, Secretary of Social Services

4 Personal Services, General Funds, delete "\$5,865,612" and insert "\$5,938,927"

5 Personal Services, Federal Funds, delete "\$7,288,124" and insert "\$7,361,439"

6 Operating Expenses, General Funds, delete "\$6,019,521" and insert "\$6,056,105"

7 Operating Expenses, Federal Funds, delete "\$12,724,016" and insert "\$12,760,600"

8 F.T.E, delete "205.2" and insert "207.7"

9 (2) Economic Assistance

10 Personal Services, General Funds, delete "\$9,531,843" and insert "\$10,055,315"

11 Personal Services, Federal Funds, delete "\$13,048,759" and insert "\$13,572,231"

12 Operating Expenses, General Funds, delete "\$18,475,447" and insert "\$18,840,982"

13 Operating Expenses, Federal Funds, delete "\$71,053,657" and insert "\$71,419,192"

14 F.T.E, delete "320.5" and insert "336.5"

15 (3) Medical Services

16 Personal Services, General Funds, delete "\$1,543,201" and insert "\$2,087,712"

17 Personal Services, Federal Funds, delete "\$3,083,798" and insert "\$3,628,309"

18 Operating Expenses, General Funds, delete "\$271,858,285" and insert "\$236,046,566"

19 Operating Expenses, Federal Funds, delete "\$472,240,985" and insert "\$569,194,974"

20 F.T.E, delete "56.0" and insert "70.0"

21 (4) Children's Services

22 Personal Services, General Funds, delete "\$14,036,357" and insert "\$14,080,177"

23 Personal Services, Federal Funds, delete "\$10,256,416" and insert "\$10,300,236"

24 Operating Expenses, General Funds, delete "\$42,815,424" and insert "\$40,162,452"

25 Operating Expenses, Federal Funds, delete "\$55,607,114" and insert "\$58,277,336"

26 F.T.E, delete "350.3" and insert "351.8"

27 (5) Behavioral Health

28 Personal Services, General Funds, delete "\$37,001,588" and insert "\$36,270,662"

29 Personal Services, Federal Funds, delete "\$8,867,431" and insert "\$9,598,357"

30 Operating Expenses, General Funds, delete "\$74,014,342" and insert "\$72,408,454"

1 Operating Expenses, Federal Funds, delete "\$39,885,274" and insert "\$41,722,911"

2 **Section 7.** That section 13 of chapter 191 of the 2022 Session Laws be amended to read:

3 DEPARTMENT OF HEALTH

4 (2) Healthcare Access and Quality and Health Prevention

5 Personal Services, Other Funds, delete "\$72,273" and insert "\$287,123"

6 Operating Expenses, General Funds, delete "\$2,895,228" and insert "\$2,847,957"

7 Operating Expenses, Federal Funds, delete "\$10,767,147" and insert "\$10,814,418"

8 Operating Expenses, Other Funds, delete "\$1,172,571" and insert "\$1,564,689"

9 (5) Correctional Health

10 Operating Expenses, Other Funds, delete "\$16,594,637" and insert "\$16,843,292"

11 (6) Tobacco Prevention

12 Operating Expenses, Other Funds, delete "\$4,500,237" and insert "\$5,500,237"

13 (18) Board of Massage Therapy - Informational

14 Personal Services, Other Funds, delete "\$1,717" and insert "\$41,840"

15 Operating Expenses, Other Funds, delete "\$81,996" and insert "\$41,873"

16 F.T.E, delete "0.0" and insert "0.6"

17 **Section 8.** That section 14 of chapter 191 of the 2022 Session Laws be amended to read:

18 DEPARTMENT OF LABOR AND REGULATION

19 (3) Field Operations

20 Personal Services, Federal Funds, delete "\$10,526,204" and insert "\$10,790,872"

21 Operating Expenses, Federal Funds, delete "\$2,645,856" and insert "\$2,684,746"

22 F.T.E, delete "163.0" and insert "167.0"

23 (11) Real Estate Commission - Informational

24 Personal Services, Other Funds, delete "\$401,468" and insert "\$361,345"

25 F.T.E, delete "5.1" and insert "4.5"

26 **Section 9.** That section 15 of chapter 191 of the 2022 Session Laws be amended to read:

27 DEPARTMENT OF TRANSPORTATION

28 (1) General Operations

29 Personal Services, Other Funds, delete "\$70,447,383" and insert "\$71,247,383"

30 Operating Expenses, Other Funds, delete "\$101,636,861" and insert "\$113,726,555"

1 (2) Construction Contracts - Informational

2 Operating Expenses, Federal Funds, delete "\$367,068,873" and insert "\$749,068,873"

3 Operating Expenses, Other Funds, delete "\$144,544,285" and insert "\$211,544,285"

4 **Section 10.** That section 16 of chapter 191 of the 2022 Session Laws be amended to read:

5 DEPARTMENT OF EDUCATION

6 (3) State Aid to General Education

7 Operating Expenses, General Funds, delete "\$552,842,123" and insert "\$543,252,123"

8 (5) Sparsity Payments

9 Operating Expenses, General Funds, delete "\$2,123,230" and insert "\$2,082,830"

10 (8) Technical Colleges

11 Operating Expenses, General Funds, delete "\$26,978,109" and insert "\$26,567,105"

12 (11) Education Resources

13 Operating Expenses, General Funds, delete "\$8,329,177" and insert "\$8,121,815"

14 Operating Expenses, Federal Funds, delete "\$185,847,499" and insert "\$198,642,444"

15 **Section 11.** That section 17 of chapter 191 of the 2022 Session Laws be amended to read:

16 DEPARTMENT OF PUBLIC SAFETY

17 (1) Administration, Secretary of Public Safety

18 Operating Expenses, General Funds, delete "\$701,968" and insert "\$746,733"

19 Operating Expenses, Other Funds, delete "\$3,386,854" and insert "\$3,875,942"

20 (2) Highway Patrol

21 Operating Expenses, Federal Funds, delete "\$2,733,228" and insert "\$2,939,380"

22 Operating Expenses, Other Funds, delete "\$6,996,295" and insert "\$8,183,222"

23 (3) Emergency Services

24 Operating Expenses, General Funds, delete "\$906,991" and insert "\$959,628"

25 **Section 12.** That section 18 of chapter 191 of the 2022 Session Laws be amended to read:

26 BOARD OF REGENTS

27 (1) Board of Regents Central Office

28 Operating Expenses, General Funds, delete "\$23,033,854" and insert "\$46,313,454"

29 (3) South Dakota Scholarships

30 Operating Expenses, General Funds, delete "\$6,512,930" and insert "\$5,937,930"

-
- 1 (4) University of South Dakota
- 2 Operating Expenses, General Funds, delete "\$3,714,485" and insert "\$4,052,074"
- 3 (7) South Dakota State University
- 4 Operating Expenses, General Funds, delete "\$5,781,590" and insert "\$6,503,248"
- 5 (10) SD School of Mines and Technology
- 6 Operating Expenses, General Funds, delete "\$966,496" and insert "\$1,430,042"
- 7 (11) Northern State University
- 8 Operating Expenses, General Funds, delete "\$1,042,961" and insert "\$1,137,217"
- 9 (13) Black Hills State University
- 10 Operating Expenses, General Funds, delete "\$721,819" and insert "\$792,140"
- 11 (14) Dakota State University
- 12 Operating Expenses, General Funds, delete "\$785,223" and insert "\$766,001"
- 13 (15) SD School for the Deaf
- 14 Operating Expenses, General Funds, delete "\$670,748" and insert "\$637,161"
- 15 (16) SD School for the Blind and Visually Impaired
- 16 Operating Expenses, General Funds, delete "\$559,498" and insert "\$547,993"
- 17 **Section 13.** That section 19 of chapter 191 of the 2022 Session Laws be amended to read:
- 18 DEPARTMENT OF THE MILITARY
- 19 (2) Army Guard
- 20 Operating Expenses, General Funds, delete "\$2,540,982" and insert "\$2,626,423"
- 21 Operating Expenses, Federal Funds, delete "\$15,726,901" and insert "\$16,126,622"
- 22 (3) Air Guard
- 23 Operating Expenses, General Funds, delete "\$297,753" and insert "\$635,560"
- 24 Operating Expenses, Federal Funds, delete "\$2,845,140" and insert "\$2,929,588"
- 25 **Section 14.** That section 20 of chapter 191 of the 2022 Session Laws be amended to read:
- 26 DEPARTMENT OF VETERANS' AFFAIRS
- 27 (2) State Veterans' Home
- 28 Personal Services, General Funds, delete "\$2,264,467" and insert "\$1,945,160"
- 29 Personal Services, Federal Funds, delete "\$2,919,687" and insert "\$3,238,994"
- 30 Operating Expenses, Other Funds, delete "\$3,347,597" and insert "\$3,864,361"

1 **Section 15.** That section 21 of chapter 191 of the 2022 Session Laws be amended to read:

2 DEPARTMENT OF CORRECTIONS

3 (1) Administration

4 Personal Services, General Funds, delete "\$1,972,389" and insert "\$2,658,571"

5 Operating Expenses, General Funds, delete "\$1,989,485" and insert "\$2,010,515"

6 F.T.E, delete "23.0" and insert "29.0"

7 (2) Mike Durfee State Prison

8 Operating Expenses, General Funds, delete "\$7,595,539" and insert "\$8,062,828"

9 (3) State Penitentiary

10 Personal Services, General Funds, delete "\$20,991,373" and insert "\$20,405,191"

11 Operating Expenses, General Funds, delete "\$7,652,049" and insert "\$8,047,298"

12 F.T.E, delete "327.0" and insert "321.0"

13 (4) Women's Prison

14 Operating Expenses, General Funds, delete "\$2,545,999" and insert "\$5,425,682"

15 (5) Pheasantland Industries

16 Operating Expenses, Other Funds, delete "\$3,569,074" and insert "\$4,071,414"

17 (6) Inmate Services

18 Personal Services, General Funds, delete "\$3,355,427" and insert "\$3,255,427"

19 Operating Expenses, General Funds, delete "\$33,213,916" and insert "\$33,462,571"

20 (8) Juvenile Community Corrections

21 Operating Expenses, General Funds, delete "\$9,053,219" and insert "\$8,340,301"

22 Operating Expenses, Federal Funds, delete "\$2,316,751" and insert "\$2,517,605"

23 **Section 16.** That section 22 of chapter 191 of the 2022 Session Laws be amended to read:

24 DEPARTMENT OF HUMAN SERVICES

25 (2) Developmental Disabilities

26 Operating Expenses, General Funds, delete "\$89,766,239" and insert "\$84,872,295"

27 Operating Expenses, Federal Funds, delete "\$125,872,651" and insert "\$137,460,916"

28 Operating Expenses, Other Funds, delete "\$6,671,525" and insert "\$5,751,208"

29 (3) South Dakota Developmental Center - Redfield

30 Personal Services, General Funds, delete "\$8,243,634" and insert "\$6,534,718"

1 Personal Services, Federal Funds, delete "\$11,000,847" and insert "\$11,501,513"

2 Operating Expenses, General Funds, delete "\$2,367,100" and insert "\$2,058,060"

3 Operating Expenses, Federal Funds, delete "\$2,999,048" and insert "\$3,308,865"

4 F.T.E, delete "297.6" and insert "279.1"

5 (4) Long Term Services and Supports

6 Operating Expenses, General Funds, delete "\$113,755,847" and insert "\$93,183,472"

7 Operating Expenses, Federal Funds, delete "\$151,086,542" and insert "\$157,088,427"

8 (5) Rehabilitation Services

9 Operating Expenses, General Funds, delete "\$4,447,743" and insert "\$4,101,101"

10 Operating Expenses, Federal Funds, delete "\$13,707,748" and insert "\$14,054,390"

11 **Section 17.** That section 25 of chapter 191 of the 2022 Session Laws be amended to read:

12 UNIFIED JUDICIAL SYSTEM

13 (2) Unified Judicial System

14 Operating Expenses, General Funds, delete "\$6,241,692" and insert "\$5,826,273"

15 **Section 18.** That section 26 of chapter 191 of the 2022 Session Laws be amended to read:

16 LEGISLATIVE BRANCH

17 (1) Legislative Operations

18 SLE, General Funds, delete "\$7,565,246" and insert "\$7,593,989"

19 (3) Auditor General

20 Operating Expenses, General Funds, delete "\$440,443" and insert "\$640,443"

21 **Section 19.** That section 27 of chapter 191 of the 2022 Session Laws be amended to read:

22 OFFICE OF THE ATTORNEY GENERAL

23 (2) Criminal Investigation

24 Operating Expenses, General Funds, delete "\$2,474,654" and insert "\$5,102,926"

25 Operating Expenses, Federal Funds, delete "\$1,975,352" and insert "\$4,292,673"

26 (3) Law Enforcement Training

27 Operating Expenses, Federal Funds, delete "\$0" and insert "\$131,000"

1 **Section 20.** That section 29 of chapter 191 of the 2022 Session Laws be amended to read:

2 SECRETARY OF STATE

3 (1) Secretary of State

4 Operating Expenses, Federal Funds, delete "\$1,213,161" and insert "\$5,713,161"

5 **Section 21.** That Section 40 of chapter 191 of the 2022 Session Laws be amended to read:

6 By June 30, 2023, the state treasurer shall transfer to the Incarceration Construction Fund the
7 sum of ~~\$70,000,000~~ \$78,206,857 from the state general fund.

8 **Section 22.** Adjust all totals accordingly in sections 1 to 20, inclusive, of this Act.

9 **Section 23.** Funds appropriated by this Act which are unspent at the end of Fiscal year 2023
10 may be carried over to fiscal year 2024

11 **Section 24.** This Act is effective June 28, 2023."

12 And that as so amended, **HB 1049** do pass.

13 Respectfully submitted,
14 Jean Hunhoff, Co-Chair

Respectfully submitted,
Mike Derby, Co-Chair

15 **MESSAGES FROM THE SENATE**

16 Mr. Speaker:

17 I have the honor to inform your honorable body that the Senate has failed to adopt the report
18 of the Conference Committee on **SB 104** and no new committee was appointed.

19 Also Mr. Speaker:

20 I have the honor to inform your honorable body that the Senate has adopted the reports of
21 the Conference Committees on **HB 1137, and SB 134 and 156.**

22 Respectfully,
23 Kay Johnson, Secretary

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

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

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

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

1 SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

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

4 Was read the second time.

5 The question being "Shall **HB 1049** pass?"

6 And the roll being called:

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

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

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

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

18 There being no objection, the House reverted to Order of Business No. 7 - Messages from the
19 Senate.

20 MESSAGES FROM THE SENATE

21 Mr. Speaker:

22 I have the honor to transmit herewith **SB 24 and 210** which have passed the Senate and your
23 favorable consideration is respectfully requested.

24 FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

25 **SB 24:** FOR AN ACT ENTITLED, An Act to revise property tax levies for school districts and to
26 revise the state aid to general and special education formulas.

27 **SB 210:** FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of
28 the legislative, judicial, and executive departments of the state, the current expenses of state
29 institutions, interest on the public debt, and for common schools.

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

31 SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

32 **SB 24:** FOR AN ACT ENTITLED, An Act to revise property tax levies for school districts and to
33 revise the state aid to general and special education formulas.

1 Was read the second time.

2 The question being "Shall **SB 24** pass?"

3 And the roll being called:

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

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

12 Nays: Aylward and Randolph

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

15 **SB 210:** FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of
16 the legislative, judicial, and executive departments of the state, the current expenses of state
17 institutions, interest on the public debt, and for common schools.

18 Was read the second time.

19 The question being "Shall **SB 210** pass?"

20 And the roll being called:

21 Yeas 66, Nays 3, Excused 1, Absent 0

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

29 Nays: Phil Jensen, Mulally, and Randolph

30 Excused: Aylward

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

33 There being no objection, the House reverted to Order of Business No. 7 - Messages from the
34 Senate.

MESSAGES FROM THE SENATE

1
2 Mr. Speaker:

3 I have the honor to return herewith **HB 1049** which has passed the Senate without change.

4 Respectfully,
5 Kay Johnson, Secretary

SIGNING OF BILLS

6
7 The Speaker publicly read the title to

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

10 **HB 1137:** FOR AN ACT ENTITLED, An Act to reduce certain gross receipts tax rates and a use
11 tax rate, and to repeal a conditional reduction of certain gross receipts tax rates.

12 **SB 16:** FOR AN ACT ENTITLED, An Act to make an appropriation to rehabilitate the rail line
13 from the city of Milbank to the city of Sisseton and to declare an emergency.

14 **SB 59:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of
15 Education for grants to support career and technical education programs, and to declare an
16 emergency.

17 **SB 113:** FOR AN ACT ENTITLED, An Act to establish and modify provisions related to initiated
18 petitions.

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

21 And signed the same in the presence of the House.

REPORTS OF STANDING COMMITTEES

22
23 There being no objection, the House reverted to Order of Business No. 5 - Reports of Standing
24 Committees.

25 Mr. Speaker:

26 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
27 Enrolling has carefully compared **HB 1049** and finds the same correctly enrolled.

28 Respectfully submitted,
29 Hugh M. Bartels, Chair

1 Mr. Speaker:

2 The Committee on Legislative Procedure respectfully reports that **HB 1049 and 1137** were
3 delivered to her Excellency, the Governor, for her approval at 6:59 p.m., March 9, 2023.

4 Respectfully submitted,
5 Hugh M. Bartels, Chair

6 **SIGNING OF BILLS**

7 The Speaker publicly read the title to

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

10 **SB 24:** FOR AN ACT ENTITLED, An Act to revise property tax levies for school districts and to
11 revise the state aid to general and special education formulas.

12 **SB 210:** FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of
13 the legislative, judicial, and executive departments of the state, the current expenses of state
14 institutions, interest on the public debt, and for common schools.

15 And signed the same in the presence of the House.

16 Rep. Duba moved that the House do now adjourn, which motion prevailed and at 6:59 p.m.
17 the House adjourned.

18 Patricia Miller, Chief Clerk