

# *JOURNAL OF THE HOUSE*

## *NINETY-NINTH SESSION*

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SECOND DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Wednesday, January 10, 2024

The House convened at 10:30 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Rev. Donell Chambers, followed by the Pledge of Allegiance led by House page Madison Johnson.

Roll Call: All members present except Rep. Pourier who was 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 1st day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Hugh M. Bartels, Chair

Which motion prevailed.

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**MESSAGES FROM THE SENATE**

2 MR. SPEAKER:

3 I have the honor to inform your honorable body that the Senate has approved the adoption of  
4 the permanent joint rules of the Ninety-eighth Legislative Session with the recommended changes  
5 to those joint rules for the Ninety-ninth Legislative Session as adopted in March, 2023, as the  
6 temporary joint rules for the Ninety-ninth Legislative Session.

7 Also MR. SPEAKER:

8 I have the honor to inform your honorable body that the Senate has appointed  
9 Sens. Schoenbeck (Chair), Bolin, Crabtree, Hunhoff, Johnson, and Foster as a committee of six on  
10 the part of the Senate to meet with a committee of five on the part of the House for the purpose of  
11 arranging for a memorial recognition of deceased former members of the House and Senate.

12

Peggy Laurenz, Secretary

13

**MOTIONS AND RESOLUTIONS**14 **HCR 6001**: A CONCURRENT RESOLUTION, Supporting the Electoral College.

15 Was read the second time.

16 Rep. Mulally moved that **HCR 6001** as found on page 23 of the House Journal be adopted.17 The question being on Rep. Mulally's motion that **HCR 6001** be adopted.

18 And the roll being called:

19 Yeas 60, Nays 2, Excused 7, Absent 0

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

27 Nays: Healy and Nelson

28 Excused: Duba, Emery, Lesmeister, Pourier, St. John, Tordsen, and Wittman

29 So the motion having received an affirmative vote of a majority of the members-elect, the  
30 Speaker declared the motion carried and **HCR 6001** was adopted.

31

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

32 The Speaker declared that **HB 1040** was withdrawn at the request of the prime sponsor  
33 pursuant to JR 6B-1.1.

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- 1        **HB 1066:** FOR AN ACT ENTITLED, An Act to provide a grant to qualifying teachers to  
 2        incentivize recruitment and retention and to make an appropriation therefor.
- 3            Introduced by: **Representative** Deutsch
- 4        **HB 1072:** FOR AN ACT ENTITLED, An Act to establish qualifications for members of the Board  
 5        of Education Standards.
- 6            Introduced by: **Representative** DeGroot
- 7            Were read the first time and referred to the Committee on Education.
- 8        **HB 1070:** FOR AN ACT ENTITLED, An Act to provide for the use of the obligation recovery  
 9        center by counties.
- 10          Introduced by: **Representative** Weisgram
- 11          Was read the first time and referred to the Committee on Local Government.
- 12          **HB 1067:** FOR AN ACT ENTITLED, An Act to designate Medal of Honor Recognition Day.
- 13          Introduced by: **Representative** Tordsen
- 14          Was read the first time and referred to the Committee on Military and Veterans Affairs.
- 15          **HB 1069:** FOR AN ACT ENTITLED, An Act to permit the display of campaign signs in  
 16          municipalities in conjunction with the beginning of absentee voting.
- 17          Introduced by: **Representative** Weisgram
- 18          **HB 1071:** FOR AN ACT ENTITLED, An Act to revise a provision providing authority to the  
 19          Governor to enter into agreements with the Nuclear Regulatory Commission.
- 20          Introduced by: **Representative** Weisgram
- 21          **HCR 6003:** A CONCURRENT RESOLUTION, To create the One Hundredth Session Planning  
 22          Committee of the South Dakota Legislature.
- 23          Introduced by: **Representative** Venhuizen
- 24          Were read the first time and referred to the Committee on State Affairs.
- 25          **HB 1068:** FOR AN ACT ENTITLED, An Act to allow disabled veterans to obtain a standard issue  
 26          county motor vehicle or motorcycle license plate.
- 27          Introduced by: **Representative** Weisgram
- 28          Was read the first time and referred to the Committee on Transportation.

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**COMMEMORATIONS**

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**HC 8001:** A LEGISLATIVE COMMEMORATION, Recognizing the Mitchell Friends of NRA as the largest Friends of NRA chapter in the state and celebrating the chapter's significant support of gun safety classes, hunter education courses, and youth shooting sports.

5

Introduced by: **Representatives** Krohmer, Aylward, Bahmuller, Fitzgerald, Gross, Jensen (Kevin), Kull, May, Moore, Mortenson, Mulally, Otten (Ernie), Perry, Pinnow, Reisch, Wangsness, and Weisgram and **Senators** Crabtree, Mehlhaff, Otten (Herman), Pischke, Stalzer, and Zikmund.

8

Rep. Drury moved that the House do now adjourn, which motion prevailed and at 10:48 a.m. the House adjourned.

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Patricia Miller, Chief Clerk

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**JOINT SESSION**

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The Senate convened with the House of Representatives in the House Chamber for the purpose of receiving a message from the Chief Justice of the Supreme Court, Steven R. Jensen. The President of the Senate, Larry Rhoden, presided.

15

The following prayer was delivered by Rev. Craig Wexler, Pierre/Ft. Pierre Ministerial Association, Pierre, South Dakota:

17

Almighty God...You took Moses atop Mt. Sinai and you gave him a gift. You gave him the gift of the Law—Your—Law—a gift in order to prevent "us" from harming others, and to keep "us" from harming ourselves. You saw it necessary to save the Israelites who were held captive and knew nothing but the cracks of whips and the shouts of "Faster...More...work harder!" Sun—up to Sun—down, day-in...and day-out. You heard their cries for freedom and peace—you honored their pleas—you upheld your covenant with Abraham and Your chosen people. But You also knew that they needed Laws and boundaries.

24

And at the same time, Lord .....we were down at the base of the mountain, already impatient and doubting Your presence, and we began building our golden calves! Already we were breaking the first commandment—already we were letting the devil whisper in our ears—already we began worshipping false gods, creating false identities, producing selfish agendas---and why? Because You were giving us a gift, and we were failing to listen!

30

**And now Lord—You have given us people to help navigate the situations we find ourselves in today:**

32

We pray for our Law Enforcement—the ones who you call into service to protect & serve—the ones tasked to enforce the laws that we, in this room, create. We pray for their wisdom and discernment—we pray for their protection and an ever-growing need for their emotional intelligence while they see your people, often times at their worst.

36

I pray for the law makers—the legislative body before me today—that they might listen to each other, listen to their people (Not in order to please each one of them, assuming any of us could actually do such a thing), but listen in order to hear the concerns and pains that need to be compromised upon. I pray that this body can know the differences between Your Laws, O God, and the ones we feel need to be added. I pray that we understand that we ought not depart from Your created intentions for us as Your prized creatures—give this legislation Your guidance and clear command.

43

We pray for our Judges at all levels. May you protect them from political bias—may you protect them from the temptations of the evil one to be slighted and misled—may you help them interpret

1 the law to the absolute best of their abilities so that justice might continue with integrity and  
2 honesty. Protect this system in all Your Will and capacity, O Lord.  
3 We pray for our system of Corrections. Our staff in the prisons and jails are exhausted and spread  
4 thin. We pray for their courage and sustenance—we pray that they might have the wisdom and  
5 ability to extol dignity to those behind bars. May our corrections staff at all levels care for, protect,  
6 redirect, and provide the necessary boundaries for those who are in a complex and very  
7 emotionally charged community. Give them Your faculties to serve well.

8 And finally, most Gracious God-----As our judges are tasked to declare 'Innocent' or 'Guilty', let us  
9 all remember that Your most loving act of death and resurrection assures us new life when we turn  
10 and believe—when we hear Your Gospel message proclaimed. Give courage to all the 'preachers'  
11 in uniform or without, to help the broken know that You have come to give second chances and  
12 forgiven, New Life. Through Your mercy, In Your Holy Name, we pray, Amen.

13 The Secretary of the Senate, Peggy Laurenz, called the roll of the Senate and the following  
14 members were present:

15 Beal; Bolin; Bordeaux; Breitling; Crabtree; Davis; Deibert; Diedrich; Duhamel; Foster; Frye-  
16 Mueller; Hoffman; Hunhoff; Johnson; Klumb; Kolbeck (Steve); Larson; Maher; Mehlhaff; Nesiba;  
17 Novstrup; Otten (Herman); Pischke; Reed; Rohl; Schoenbeck; Schoenfish; Stalzer; Tobin; Wheeler;  
18 Wiik; Wink; Zikmund

19 The Chief Clerk of the House of Representatives, Patricia Miller, called the roll of the House and  
20 the following members were present:

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

28 Sen. Crabtree moved that a committee of ten on the part of the Senate and a committee of  
29 nine on the part of the House be appointed to escort Chief Justice Steven R. Jensen to the rostrum.

30 Which motion prevailed and the President announced as such committee Sens. Schoenbeck,  
31 Crabtree, Nesiba, Diedrich, Duhamel, Hoffman, Mehlhaff, Rohl, Stalzer, and Wheeler on the part of  
32 the Senate and Reps. Stevens, Mortenson, Rehfeldt, Lesmeister, Healy, Chase, Jensen (Kevin), Karr,  
33 and Mills on the part of the House.

34 The Lieutenant Governor, Larry Rhoden, introduced the Honorable Steven R. Jensen, to deliver  
35 the State of the Judiciary Address.

36 The Sergeant at Arms announced the arrival of Chief Justice Steven R. Jensen who was escorted  
37 to the rostrum.

38 Sen. Crabtree moved that the Joint Session do now recess until 1:00 p.m.

39 Which motion prevailed, and at 11:50 a.m., the Joint Session recessed.

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**RECESS**

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The Joint Session reconvened at 1:00 p.m., the President presiding.

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**JOINT SESSION**

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The Senate reconvened with the House of Representatives in the House Chamber for the purpose of receiving a message on the State of the Tribes from the Honorable Cynthia J. Allen-Weddell, Vice President, Flandreau Santee Sioux Tribe. The President of the Senate, Larry Rhoden, presided.

8

9

Sen. Crabtree moved that a committee of nine on the part of the Senate and a committee of eleven on the part of the House be appointed to escort Vice President Allen-Weddell to the rostrum.

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Which motion prevailed and the President announced as such committee Sens. Schoenbeck, Crabtree, Nesiba, Bordeaux, Foster, Maher, Pischke, Rohl, and Tobin on the part of the Senate and Reps. Mortenson, Rehfeldt, Lesmeister, Healy, Donnell, Duba, Emery, Peterson (Sue), Pourier, St. John, and Tordsen on the part of the House.

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The Lieutenant Governor, Larry Rhoden, introduced the Honorable Cynthia J. Allen-Weddell, who delivered the State of the Tribes Address.

16

Sen. Crabtree moved that the Joint Session do now dissolve.

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Which motion prevailed.