

JOURNAL OF THE HOUSE

NINETY-NINTH SESSION

ELEVENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, January 24, 2024

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

The prayer was offered by the Chaplain, John Fette, followed by the Pledge of Allegiance led by House pages Nicolette Hoffman and Mariela Hyzer.

Roll Call: All members present except Rep. Lesmeister 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 10th day.

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

And we hereby move the adoption of the report.

Which motion prevailed.

Respectfully submitted,
Hugh M. Bartels, Chair

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REPORTS OF STANDING COMMITTEES

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MR. SPEAKER:

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The Committee on House Education respectfully reports that it has had under consideration **SB 1** with the recommendation that said bill be referred to the House Committee on Appropriations with a Do Pass recommendation.

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Also MR. SPEAKER:

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The Committee on House Education respectfully reports that it has had under consideration **SB 72** and returns the same with the recommendation that said bill do pass.

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Respectfully submitted,
Mike Stevens, Chair

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MR. SPEAKER:

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The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1113** which was deferred to the 41st Legislative Day.

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Also MR. SPEAKER:

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The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1123** and returns the same with the recommendation that said bill do pass.

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Respectfully submitted,
Will Mortenson, Chair

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MR. SPEAKER:

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The Committee on House Commerce and Energy respectfully reports that it has had under consideration **HB 1095, and SB 38 and 41** and returns the same with the recommendation that said bills do pass.

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Respectfully submitted,
Mike Weisgram, Chair

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MR. SPEAKER:

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The Committee on House Judiciary respectfully reports that it has had under consideration **HB 1023** and returns the same with the recommendation that said bill be amended as follows:

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1023B

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On page 1, line 6, of the Introduced bill, after "the" delete " State Bar and its"

30

On page 1, line 7, of the Introduced bill, after "volunteers" insert " of the State Bar, as applicable"

31

32

On page 1, line 11, of the Introduced bill, after "law." insert " The immunity provided in this section does not apply to any person causing personal injury or wrongful death resulting from the negligent operation of a motor vehicle."

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1 And that as so amended, **HB 1023** do pass.

2 Also MR. SPEAKER:

3 The Committee on House Judiciary respectfully reports that it has had under consideration
4 **HB 1096** and returns the same with the recommendation that said bill do pass, and having been
5 certified as uncontested, be placed on the consent calendar.

6 Respectfully submitted,
7 Jon Hansen, Chair

8 **MESSAGES FROM THE SENATE**

9 MR. SPEAKER:

10 I have the honor to return herewith **HCR 6006** in which the Senate has concurred.

11 Also MR. SPEAKER:

12 I have the honor to return herewith **HB 1005, 1006, 1011, 1013, 1018, and 1029** which
13 have passed the Senate without change.

14 Also MR. SPEAKER:

15 I have the honor to transmit herewith **SB 14, 17, 26, 40, 57, 63, 64, and 75, and SJR 502**
16 which have passed the Senate and your favorable consideration is respectfully requested.

17 Respectfully,
18 Peggy Laurenz, Secretary

19 **MOTIONS AND RESOLUTIONS**

20 Rep. Mortenson moved that **SB 78** be referred from the Committee on Taxation to the
21 Committee on Agriculture and Natural Resources.

22 Which motion prevailed.

23 Rep. Venhuizen moved that **SB 72** be referred from the Committee on Education to the House
24 Committee on Appropriations.

25 Which motion prevailed.

26 Rep. Mortenson moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
27 Thursday, January 25, the 12th legislative day.

28 Which motion prevailed.

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CONSIDERATION OF REPORTS OF COMMITTEES

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

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Transportation on **HB 1083** as found on page 152 of the House Journal; and

4

Taxation on **HB 1092** as found on page 153 of the House Journal be adopted.

5

Which motion prevailed and the reports were adopted.

6

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

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HB 1136: FOR AN ACT ENTITLED, An Act to revise the renewal fee for barber's certificate of registration.

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Introduced by: **Representative** Callies

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HB 1139: FOR AN ACT ENTITLED, An Act to revise the malt beverage license to also allow the sale of spirits produced by an artisan distiller.

12

Introduced by: **Representative** Mulally

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

14

HB 1137: FOR AN ACT ENTITLED, An Act to provide for a minimum teacher salary.

15

Introduced by: **Representative** Venhuizen

16

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

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HB 1138: FOR AN ACT ENTITLED, An Act to establish a sales tax exemption for certain disabled veterans.

19

Introduced by: **Representative** Teunissen

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

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HB 1140: FOR AN ACT ENTITLED, An Act to improve the efficiency and administration of state government.

23

Introduced by: **Representative** Mortenson

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HB 1141: FOR AN ACT ENTITLED, An Act to improve public safety in South Dakota.

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Introduced by: **Representative** Mortenson

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HB 1142: FOR AN ACT ENTITLED, An Act to improve education and to provide for the workforce of South Dakota.

28

Introduced by: **Representative** Mortenson

1 **HB 1143:** FOR AN ACT ENTITLED, An Act to improve agriculture in South Dakota.

2 Introduced by: **Representative** Mortenson

3 Were read the first time.

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

5 **SB 14:** FOR AN ACT ENTITLED, An Act to expand authorization for the conditional taking of
6 coyotes from snowmobiles.

7 **SJR 502:** A JOINT RESOLUTION, Providing legislative approval for a future use water permit
8 application by the Lewis and Clark Regional Water System.

9 Were read the first time and referred to the Committee on Agriculture and Natural Resources.

10 **SB 57:** FOR AN ACT ENTITLED, An Act to create uniform procedures for consideration of
11 criminal histories and convictions in professional or occupational licensure.

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

13 **SB 40:** FOR AN ACT ENTITLED, An Act to establish a criminal background check requirement
14 for licensure as an occupational therapist or occupational therapy assistant.

15 **SB 63:** FOR AN ACT ENTITLED, An Act to revise provisions related to the licensure and
16 regulation of ambulance services.

17 **SB 64:** FOR AN ACT ENTITLED, An Act to revise provisions related to the regulation of
18 emergency medical services and associated personnel.

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

20 **SB 26:** FOR AN ACT ENTITLED, An Act to clarify the membership of the Open Meeting
21 Commission.

22 Was read the first time and referred to the Committee on Judiciary.

23 **SB 17:** FOR AN ACT ENTITLED, An Act to modify the residency requirements for voter
24 registration and declare an emergency.

25 **SB 75:** FOR AN ACT ENTITLED, An Act to modify provisions pertaining to the designation of a
26 legal newspaper.

27 Were read the first time and referred to the Committee on State Affairs.

28 **SECOND READING OF CONSENT CALENDAR ITEMS**

29 Rep. Cammack requested that **SB 54** be removed from the Consent Calendar.

1 **HB 1101:** FOR AN ACT ENTITLED, An Act to provide a special motor vehicle license plate for
 2 recipients of the Legion of Merit award.

3 **SB 4:** FOR AN ACT ENTITLED, An Act to revise provisions regarding township contracts for
 4 snow removal.

5 **SB 22:** FOR AN ACT ENTITLED, An Act to amend language regarding the licensing period for a
 6 grain buyer.

7 **SB 37:** FOR AN ACT ENTITLED, An Act to revise provisions regarding repair and maintenance
 8 of mail routes.

9 Were read the second time.

10 The question being "Shall **HB 1101, and SB 4, 22, and 37** pass?"

11 And the roll being called:

12 Yeas 68, Nays 0, Excused 1, Absent 0

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

20 Excused: Lesmeister

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

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

24 **HB 1088:** FOR AN ACT ENTITLED, An Act to remove the option for a court services officer to
 25 prepare documentation in an adoption proceeding.

26 Was read the second time.

27 The question being "Shall **HB 1088** pass as amended?"

28 And the roll being called:

29 Yeas 67, Nays 1, Excused 1, Absent 0

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

37 Nays: Pourier

38 Excused: Lesmeister

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

3 **HB 1090:** FOR AN ACT ENTITLED, An Act to revise provisions related to tax deeds and to
 4 declare an emergency.

5 Was read the second time.

6 The question being "Shall **HB 1090** pass?"

7 And the roll being called:

8 Yeas 65, Nays 3, Excused 1, Absent 0

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

16 Nays: Jensen (Phil), Nelson, and Pourier

17 Excused: Lesmeister

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

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

21 **SB 65:** FOR AN ACT ENTITLED, An Act to modify time limits for collection efforts for debts
 22 owed to the state.

23 Was read the second time.

24 The question being "Shall **SB 65** pass?"

25 And the roll being called:

26 Yeas 68, Nays 0, Excused 1, 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, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,
 30 Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Otten (Ernie), Overweg,
 31 Perry, Peterson (Drew), Peterson (Sue), Pinnow, Pourier, Randolph, Rehfeldt, Reimer, Reisch,
 32 Sauder, Schaeffbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen,
 33 Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

34 Excused: Lesmeister

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

1

SIGNING OF BILLS

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The Speaker publicly read the title to

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SB 7: FOR AN ACT ENTITLED, An Act to revise the water resources projects list.

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And signed the same in the presence of the House.

5

COMMEMORATIONS

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HC 8008: A LEGISLATIVE COMMEMORATION, Celebrating the Sioux Falls Lincoln Patriots football team.

7

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Introduced by: **Representatives** Mulder, Arlint, Duba, Healy, Jamison, Karr, Nelson, Peterson (Sue), Rehfeldt, Tordsen, Venhuizen, and Wittman and **Senators** Kolbeck (Jack), Beal, Larson, Stalzer, and Zikmund.

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Rep. Drury moved that the House do now adjourn, which motion prevailed and at 2:40 p.m. the House adjourned.

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Patricia Miller, Chief Clerk