

# *JOURNAL OF THE HOUSE*

## *NINETY-NINTH SESSION*

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FIFTEENTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Wednesday, January 31, 2024

The House convened at 2:30 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Rev. Jake Krahn, followed by the Pledge of Allegiance led by House page Kendra Saylor.

Roll Call: All members present.



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**REPORTS OF STANDING COMMITTEES**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that **HB 1006, 1011, 1013, 1015, 1026, 1030, 1051, 1063, and 1068** were delivered to her Excellency, the Governor, for her approval at 10:55 a.m., January 31, 2024.

Respectfully submitted,  
Hugh M. Bartels, Chair

MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration **HB 1062**, and returns the same with the recommendation that said bill do pass.

Respectfully submitted,  
Mike Derby, Co-Chair

Respectfully submitted,  
Jean Hunhoff, Co-Chair

MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration **HB 1121** which was deferred to the 41st Legislative Day.

Respectfully submitted,  
Mike Stevens, Chair

MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1173** which was tabled.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **HCR 6009** which was deferred to the 41st Legislative Day.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **SB 35** and returns the same with the recommendation that said bill be amended as follows:

35B

On page 1, line 2, of the Introduced bill, delete " made public" and insert " used for advertising or promotion"

On page 1, line 5, of the Introduced bill, after "be" delete " made public"

On page 1, line 5, of the Introduced bill, after "public " insert "used in advertising or promotion "

On page 1, line 7, of the Introduced bill, delete " make public" and insert " use"

And that as so amended, **SB 35** do pass.

1 Also MR. SPEAKER:

2 The Committee on House State Affairs respectfully reports that it has had under consideration  
3 **SB 75** and returns the same with the recommendation that said bill do pass, and having been  
4 certified as uncontested, be placed on the consent calendar.

5 Respectfully submitted,  
6 Will Mortenson, Chair

7 MR. SPEAKER:

8 The Committee on House Commerce and Energy respectfully reports that it has had under  
9 consideration **HB 1169** which was deferred to the 41st Legislative Day.

10 Also MR. SPEAKER:

11 The Committee on House Commerce and Energy respectfully reports that it has had under  
12 consideration **HB 1183** and returns the same with the recommendation that said bill do pass, and  
13 having been certified as uncontested, be placed on the consent calendar.

14 Also MR. SPEAKER:

15 The Committee on House Commerce and Energy respectfully reports that it has had under  
16 consideration **HB 1196** and returns the same with the recommendation that said bill be amended  
17 as follows:

18 1196A

19 On page 2, line 14, of the Introduced bill, after "license," delete " and the license is to be used  
20 in a publicly-owned facility, or is an applicant licensed pursuant to subdivision 35-4-2(4)"

21 And that as so amended, **HB 1196** do pass, and having been certified as uncontested, be  
22 placed on the consent calendar.

23 Respectfully submitted,  
24 Mike Weisgram, Chair

25 MR. SPEAKER:

26 The Committee on House Judiciary respectfully reports that it has had under consideration  
27 **HB 1110 and 1152** which were deferred to the 41st Legislative Day.

28 Also MR. SPEAKER:

29 The Committee on House Judiciary respectfully reports that it has had under consideration  
30 **SB 27** and returns the same with the recommendation that said bill do pass.

31 Also MR. SPEAKER:

32 The Committee on House Judiciary respectfully reports that it has had under consideration  
33 **SB 26** and returns the same with the recommendation that said bill do pass, and having been  
34 certified as uncontested, be placed on the consent calendar.

35 Respectfully submitted,  
36 Jon Hansen, Chair

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**MESSAGES FROM THE SENATE**

1  
2 MR. SPEAKER:

3 I have the honor to return herewith **HB 1012** which has passed the Senate without change.

4 Also MR. SPEAKER:

5 I have the honor to transmit herewith **SB 81, 86, 90, 94, 99, 118, 120, 123, 136, and 147**  
6 which have passed the Senate and your favorable consideration is respectfully requested.

7 Respectfully,  
8 Peggy Laurenz, Secretary

**MOTIONS AND RESOLUTIONS**

9  
10 Rep. Jensen (Kevin) moved that the House do concur in Senate amendments to **HB 1024**.

11 The question being on Rep. Jensen (Kevin)'s motion that the House do concur in Senate  
12 amendments to **HB 1024**.

13 And the roll being called:

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

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

22 Nays: Aylward

23 Excused: Pourier

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

26 Rep. Mortenson moved that **SB 17** be deferred to Monday, February 5, 2024, the 18<sup>th</sup>  
27 legislative day.

28 Which motion prevailed.

29 Rep. Auch moved that **HB 1199** be referred from the Committee on State Affairs to the  
30 Committee on Commerce and Energy.

31 Rep. Bartels requested a roll call vote.

32 Which request was supported.

1 And the roll being called:

2 Yeas 33, Nays 36, Excused 0, Absent 0

3 Yeas: Auch, Aylward, Bahmuller, Deutsch, Donnell, Emery, Fitzgerald, Gross, Hansen, Jamison,  
4 Jensen (Kevin), Jensen (Phil), Karr, Krohmer, Krull, Ladner, Lems, May, Mills, Moore, Mulally,  
5 Mulder, Odenbach, Overweg, Perry, Peterson (Sue), Poirier, Randolph, Schaeffbauer, Schneider,  
6 Shorma, Sjaarda, and Soye

7 Nays: Arlint, Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby, Drury, Duba, Duffy,  
8 Healy, Heermann, Kassin, Koth, Kull, Lesmeister, Massie, Mortenson, Nelson, Otten (Ernie),  
9 Peterson (Drew), Pinnow, Rehfeldt, Reimer, Reisch, Sauder, St. John, Stevens, Teunissen, Tordsen,  
10 Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

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

13 **HCR 6011:** A CONCURRENT RESOLUTION, Urging the Bureau of Indian Affairs (BIA) law  
14 enforcement to establish a law enforcement training academy in South Dakota.

15 Introduced by: **Representative** Blare

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

17 **HCR 6012:** A CONCURRENT RESOLUTION, Acknowledging the challenges and responses  
18 during the COVID-19 pandemic and committing to accountability and action.

19 Introduced by: **Representative** Aylward

20 Was read the first time.

## 21 **CONSIDERATION OF REPORTS OF COMMITTEES**

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

23 Transportation on **HB 1119 and 1120** as found on page 196 of the House Journal; also

24 Agriculture and Natural Resources on **HB 1130** as found on page 194 of the House Journal;  
25 and

26 Local Government on **HB 1132** as found on page 195 of the House Journal be adopted.

27 Which motion prevailed and the reports were adopted.

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

29 The Speaker declared that **HB 1214** was withdrawn at the request of the prime sponsor  
30 pursuant to JR 6B-1.1.

1 **HB 1228:** FOR AN ACT ENTITLED, An Act to provide that required exterior hunting garments  
2 may be fluorescent pink.

3 Introduced by: **Representative** Bahmuller

4 **HB 1231:** FOR AN ACT ENTITLED, An Act to place restrictions on the ownership of agricultural  
5 land.

6 Introduced by: **Representative** Wangsness

7 **HB 1235:** FOR AN ACT ENTITLED, An Act to make an appropriation of State Fiscal Recovery  
8 Fund moneys for eligible water quality projects.

9 Introduced by: **Representative** Odenbach

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

11 **HB 1207:** FOR AN ACT ENTITLED, An Act to create requirements for the disclosure of certain  
12 information relating to health care sharing arrangements.

13 Introduced by: **Representative** Healy

14 **HB 1219:** FOR AN ACT ENTITLED, An Act to prohibit the exercise of eminent domain for the  
15 construction of pipelines carrying carbon oxide.

16 Introduced by: **Representative** Hansen

17 **HB 1221:** FOR AN ACT ENTITLED, An Act to enhance right to work laws and provide a penalty  
18 therefor.

19 Introduced by: **Representative** Krohmer

20 **HB 1227:** FOR AN ACT ENTITLED, An Act to prohibit a homeowners' association from placing  
21 certain restrictions on firearms or firearm ammunition.

22 Introduced by: **Representative** Odenbach

23 **HB 1233:** FOR AN ACT ENTITLED, An Act to amend requirements for a cosmetology  
24 apprenticeship.

25 Introduced by: **Representative** Moore

26 **HB 1240:** FOR AN ACT ENTITLED, An Act to permit a homeowner's association, development,  
27 or incorporated community to modify a restrictive covenant.

28 Introduced by: **Representative** Mills

29 **HB 1243:** FOR AN ACT ENTITLED, An Act to extend deadlines for action by the Public Utilities  
30 Commission upon the request of any party.

31 Introduced by: **Representative** Lems

32 **HB 1247:** FOR AN ACT ENTITLED, An Act to provide consumer protection through fair access  
33 to financial and insurance products and services.

34 Introduced by: **Representative** Auch

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

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- 1       **HB 1211:** FOR AN ACT ENTITLED, An Act to repeal the Midwestern Regional Higher Education  
2 Compact.
- 3       Introduced by: **Representative** Venhuizen
- 4       Was read the first time and referred to the House Committee on Appropriations.
- 5       **HB 1213:** FOR AN ACT ENTITLED, An Act to create the Dr. Nicholas W. Drummond Center for  
6 Civic Engagement at Black Hills State University.
- 7       Introduced by: **Representative** Odenbach
- 8       **HB 1218:** FOR AN ACT ENTITLED, An Act to create the building opportunity through out-of-  
9 school time program and to make an appropriation therefor.
- 10       Introduced by: **Representative** Duba
- 11       **HB 1226:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of  
12 Education for grants to support the provision of telemedicine in school districts.
- 13       Introduced by: **Representative** Rehfeldt
- 14       **HB 1236:** FOR AN ACT ENTITLED, An Act to recognize students as Rushmore State Athletes  
15 upon demonstrating prescribed levels of physical fitness.
- 16       Introduced by: **Representative** Jensen (Kevin)
- 17       **HB 1237:** FOR AN ACT ENTITLED, An Act to establish provisions related to the rating of books  
18 available in school districts.
- 19       Introduced by: **Representative** Heermann
- 20       **HB 1238:** FOR AN ACT ENTITLED, An Act to reimburse school districts for costs incurred in  
21 providing reduced price meals to students.
- 22       Introduced by: **Representative** Tordsen
- 23       Were read the first time and referred to the Committee on Education.
- 24       **HB 1223:** FOR AN ACT ENTITLED, An Act to repeal a section of the Administrative Rules of  
25 South Dakota regarding cooperation with the Division of Child Support.
- 26       Introduced by: **Representative** Healy
- 27       Was read the first time and referred to the Committee on Health and Human Services.
- 28       **HB 1210:** FOR AN ACT ENTITLED, An Act to permit a child adjudicated delinquent for theft of  
29 a firearm to be committed to the Department of Corrections.
- 30       Introduced by: **Representative** Jensen (Kevin)
- 31       **HB 1215:** FOR AN ACT ENTITLED, An Act to require a study of radio communication services  
32 in the Piedmont Valley region and make an appropriation to perform the study and purchase digital  
33 vehicular repeater systems.
- 34       Introduced by: **Representative** Massie



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- 1       **HB 1220:** FOR AN ACT ENTITLED, An Act to allow an appeal of a decision of the Department  
2 of Education regarding special education or related services by a civil action against the department.
- 3       Introduced by: **Representative** Reisch
- 4       **HB 1222:** FOR AN ACT ENTITLED, An Act to require free voice communication services for  
5 correctional inmates and to make an appropriation therefor.
- 6       Introduced by: **Representative** Wittman
- 7       **HB 1230:** FOR AN ACT ENTITLED, An Act to amend provisions regarding reports to be done  
8 for a guardianship or conservatorship and to provide a penalty therefor.
- 9       Introduced by: **Representative** Jamison
- 10       Were read the first time and referred to the Committee on Judiciary.
- 11       **HB 1229:** FOR AN ACT ENTITLED, An Act to add a county as able to be assigned responsibility  
12 for secondary highways on municipal boundaries.
- 13       Introduced by: **Representative** Perry
- 14       Was read the first time and referred to the Committee on Local Government.
- 15       **HB 1216:** FOR AN ACT ENTITLED, An Act to create the local assistance fund and to provide  
16 for the transfer of certain unobligated cash balances.
- 17       Introduced by: **Representative** Mills
- 18       **HB 1217:** FOR AN ACT ENTITLED, An Act to allow a city or county to impose local restrictions  
19 and regulations on video lottery.
- 20       Introduced by: **Representative** Mills
- 21       **HB 1224:** FOR AN ACT ENTITLED, An Act to require the creation of an informational video and  
22 other materials describing the state's abortion law and medical care for a pregnant woman  
23 experiencing life-threatening or health-threatening medical conditions.
- 24       Introduced by: **Representative** Rehfeldt
- 25       **HB 1232:** FOR AN ACT ENTITLED, An Act to create the Indian Child Welfare Advisory Council.
- 26       Introduced by: **Representative** St. John
- 27       **HB 1234:** FOR AN ACT ENTITLED, An Act to address the issuance and revocation requirements  
28 pertaining to a permit to carry a concealed weapon.
- 29       Introduced by: **Representative** Mulally
- 30       **HB 1239:** FOR AN ACT ENTITLED, An Act to provide for the dissemination of a facsimile of a  
31 ballot and to prohibit the dissemination of incorrect or misleading election information.
- 32       Introduced by: **Representative** Soye

1 **HB 1241:** FOR AN ACT ENTITLED, An Act to modify the amount of time allowed to an employee  
2 to vote at any election in this state.

3 Introduced by: **Representative** Lems

4 **HB 1244:** FOR AN ACT ENTITLED, An Act to provide a process to withdraw a signature from a  
5 petition for an initiated measure, constitutional amendment, or a referendum on a law in certain  
6 situations and to declare an emergency.

7 Introduced by: **Representative** Hansen

8 **HJR 5003:** A JOINT RESOLUTION, Proposing and submitting to the voters at the next general  
9 election, an amendment to the Constitution of the State of South Dakota, to limit the placement of  
10 restrictions on the right to bear arms.

11 Introduced by: **Representative** Mulally

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

13 **HB 1208:** FOR AN ACT ENTITLED, An Act to require the director of equalization to adjust  
14 certain agricultural land values.

15 Introduced by: **Representative** Ladner

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

17 **HB 1212:** FOR AN ACT ENTITLED, An Act to require certain vehicles to be equipped with mud  
18 flaps.

19 Introduced by: **Representative** Kull

20 **HB 1225:** FOR AN ACT ENTITLED, An Act to define a multi-passenger bicycle and to provide  
21 for the regulation of multi-passenger bicycles.

22 Introduced by: **Representative** Tordsen

23 **HB 1242:** FOR AN ACT ENTITLED, An Act to require the placement of informational signs  
24 explaining works of art accepted by the state and displayed at a rest area or facility operated by the  
25 Department of Transportation.

26 Introduced by: **Representative** St. John

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

28 **HB 1209:** FOR AN ACT ENTITLED, An Act to appropriate moneys to reconstruct Custer West  
29 Dam.

30 Introduced by: **Representative** Ladner

31 Was read the first time and referred to the Joint Committee on Appropriations.

32 **HB 1245:** FOR AN ACT ENTITLED, An Act to revise provisions related to the custody of an  
33 alleged delinquent child before and after a temporary custody hearing.

34 Introduced by: **Representative** Reimer

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- 1        **HB 1246:** FOR AN ACT ENTITLED, An Act to establish a pre-condemnation process and to  
2        require reclamation and restoration of property damaged by condemnation.
- 3        Introduced by: **Representative** Overweg
- 4        **HB 1248:** FOR AN ACT ENTITLED, An Act to prohibit a person from coercing an individual to  
5        submit to certain vaccinations.
- 6        Introduced by: **Representative** Krohmer
- 7        **HB 1249:** FOR AN ACT ENTITLED, An Act to establish a task force to address the welfare of  
8        Indian children in South Dakota.
- 9        Introduced by: **Representative** Pourier
- 10       **HB 1250:** FOR AN ACT ENTITLED, An Act to provide for the creation and use of South Dakota  
11       educational empowerment accounts.
- 12       Introduced by: **Representative** Sjaarda
- 13       **HB 1251:** FOR AN ACT ENTITLED, An Act to modify provisions related to the annexation of  
14       unplatted territory or agricultural land.
- 15       Introduced by: **Representative** May
- 16       **HB 1252:** FOR AN ACT ENTITLED, An Act to address South Dakota State Brand Board  
17       administration and operations.
- 18       Introduced by: **Representative** May
- 19       **HB 1253:** FOR AN ACT ENTITLED, An Act to permit nonaccredited schools to participate in the  
20       partners in education tax credit program.
- 21       Introduced by: **Representative** May
- 22       **HB 1254:** FOR AN ACT ENTITLED, An Act to remove irreconcilable differences as a cause for  
23       divorce.
- 24       Introduced by: **Representative** Randolph
- 25       **HB 1255:** FOR AN ACT ENTITLED, An Act to establish a property tax exemption for religious  
26       societies, and to modify the application requirements for certain property tax exemptions.
- 27       Introduced by: **Representative** Randolph
- 28       **HB 1256:** FOR AN ACT ENTITLED, An Act to establish percentage requirements for voluntary  
29       agreements governing pipeline construction prior to the filing of a petition for condemnation.
- 30       Introduced by: **Representative** Sjaarda
- 31       **HB 1257:** FOR AN ACT ENTITLED, An Act to require age verification by websites containing  
32       material harmful to minors.
- 33       Introduced by: **Representative** Soye



1 **SB 123:** FOR AN ACT ENTITLED, An Act to require the state board of elections to meet annually  
 2 to review the state's election law and recommend changes if necessary.

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

4 Speaker Pro Tempore Stevens now presiding.

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

6 **HB 1092:** FOR AN ACT ENTITLED, An Act to revise provisions regarding the 911 emergency  
 7 surcharge.

8 Was read the second time.

9 The question being "Shall **HB 1092** pass as amended?"

10 And the roll being called:

11 Yeas 60, Nays 9, Excused 0, Absent 0

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

18 Nays: Auch, Aylward, Jensen (Phil), Karr, May, Mills, Mulally, Randolph, and Soye

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

21 **HB 1125:** FOR AN ACT ENTITLED, An Act to prohibit the chemical modification or conversion  
 22 of industrial hemp and the sale or distribution of chemically modified or converted industrial hemp  
 23 and to provide a penalty therefor.

24 Was read the second time.

25 Rep. Lesmeister moved that **HB 1125** be amended as follows:

26 1125A

27 On page 1, line 14, of the Introduced bill, delete " changes the molecular structure" and insert  
 28 " results in the acetylation"

29 On page 5, line 5, of the Introduced bill, delete " changes the molecular structure" and insert  
 30 " results in the acetylation"

31 On page 5, line 26, of the Introduced bill, after "tetrahydrocannabinol" insert " acetate ester"

32 On page 5, line 26, of the Introduced bill, delete "delta-8 THC" and insert " delta-8-THCO"

33 On page 5, line 27, of the Introduced bill, after "tetrahydrocannabinol" insert " acetate ester"

34 On page 5, line 27, of the Introduced bill, delete "delta-10 THC" and insert " delta-10-THCO"

1 On page 5, line 28, of the Introduced bill, delete "Tetrahydrocannabinol" and insert " Delta-9  
2 tetrahydrocannabinol"

3 On page 5, line 28, of the Introduced bill, after "acetate" insert " ester"

4 On page 5, line 28, of the Introduced bill, delete " THC-O acetate or THC-O" and insert " delta-  
5 9-THCO"

6 On page 5, line 29, of the Introduced bill, after "THC-O;

7 (d) Hexahydrocannabinol" insert " acetate ester"

8 On page 5, line 29, of the Introduced bill, delete " HHC" and insert " HHCO"

9 On page 5, line 30, of the Introduced bill, after "or

10 (e) Tetrahydrocannabiphoral" insert " acetate ester"

11 On page 5, line 30, of the Introduced bill, delete " THCP" and insert " THCPO"

12 Which motion prevailed.

13 The question being "Shall **HB 1125** pass as amended?"

14 And the roll being called:

15 Yeas 69, Nays 0, Excused 0, Absent 0

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

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

25 **HB 1127:** FOR AN ACT ENTITLED, An Act to modify requirements for incorporating  
26 municipalities that are within three miles of another incorporated municipality.

27 Was read the second time.

28 The question being "Shall **HB 1127** pass?"

29 And the roll being called:

30 Yeas 58, Nays 11, Excused 0, Absent 0

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

1 Nays: Bahmuller, Chase, Derby, Donnell, Emery, Heermann, Nelson, Otten (Ernie), Pourier,  
2 Tordsen, and Wittman

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

5 Speaker Bartels now presiding.

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

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 Was read the second time.

10 The question now being "Shall **SJR 502** pass?"

11 And the roll being called:

12 Yeas 62, Nays 7, Excused 0, Absent 0

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

20 Nays: Duba, Emery, Healy, Lesmeister, Nelson, Pourier, and Wittman

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

23 **SIGNING OF BILLS**

24 The Speaker publicly read the title to

25 **SB 38:** FOR AN ACT ENTITLED, An Act to amend the amount a merchant or place of business  
26 may assess against returned checks.

27 **SB 41:** FOR AN ACT ENTITLED, An Act to modify an administrative procedure for revoking a  
28 nonresponsive insurance producer's license.

29 **SB 54:** FOR AN ACT ENTITLED, An Act to update hunting and fishing residency requirements.

30 **SB 59:** FOR AN ACT ENTITLED, An Act to provide for the downgrade of commercial driver  
31 licenses and commercial learners permits upon notice of certain drug and alcohol violations.

32 **SB 60:** FOR AN ACT ENTITLED, An Act to update references to certain regulations regarding  
33 medical qualifications for certain commercial drivers.

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





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**JOINT SESSION**

2 The Senate convened with the House of Representatives in the House Chamber for the purpose  
3 of receiving a briefing from the Governor, Kristi Noem. The President of the Senate, Larry Rhoden,  
4 presided.

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

7 Gracious God, grant us your peace and serenity as we receive Governor Noem’s testimony  
8 concerning our neighbors in the bordering states down South, along with our neighbors from all  
9 over the world who are migrating to us, as well. No matter where we stand on this issue—no matter  
10 our personal opinions and feelings on this very complicated issue, we must remember today that  
11 this ‘*issue*’ is so profoundly complicated, and it is giant puzzle, more than simply an ‘*issue*’. There  
12 are pieces to this puzzle that directly affect us. There are pieces to this puzzle that will not affect  
13 us, but certainly affects our neighbors in this nation. But the most important pieces to this puzzle,  
14 are the people. Every single person in this puzzle—Americans—landowners—Border Patrol  
15 personnel—local law enforcement and military agents on both sides of the border—parents,  
16 grandparents, and children—migrants who all have different stories and reasons for their journey  
17 (many good—and some with ill-intent), but all involved, are image-bearers of You, O, Lord. You  
18 alone, will ultimately bring Truth to this reality, but you have also called leadership into this moment  
19 to be a part of a solution, as well.

20 Help us to humbly listen to our Governor’s message. Again, let us listen more, and speak less.  
21 Help us to hold her, along with all of our nation’s governors, and also the members of government  
22 at the federal level, in our prayers, as well. The burdens that leadership carries cannot be explained  
23 in simple words or quotes. Help us to temper our feelings and emotions—give us all Your peace  
24 that surpasses all understanding. In Your Holy name we pray, Amen.

25 Sen. Crabtree moved that a committee of three on the part of the Senate and a committee of  
26 two on the part of the House be appointed to escort the Honorable Kristi Noem, Governor of the  
27 State of South Dakota, to the rostrum.

28 Which motion prevailed and the President announced as such committee Sens. Schoenbeck,  
29 Crabtree, and Nesiba on the part of the Senate and Reps. Mortenson and Lesmeister on the part of  
30 the House.

31 The Lieutenant Governor, Larry Rhoden, introduced the Honorable Kristi Noem.

32 The Sergeant at Arms announced the arrival of the Honorable Kristi Noem, who was escorted  
33 to the rostrum.

34 Sen. Crabtree moved that the Joint Session do now adjourn.

35 Which motion prevailed.

