

JOURNAL OF THE HOUSE

NINETY-NINTH SESSION

TWENTY-FOURTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, February 14, 2024

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

The prayer was offered by the Chaplain, Russell Jones, followed by the Pledge of Allegiance led by House pages Henry Thronson and Samuel Weinheimer.

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 23rd 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

REPORTS OF STANDING COMMITTEES

2 MR. SPEAKER:

3 The Committee on Legislative Procedure respectfully reports that **HB 1034** was delivered to
4 her Excellency, the Governor, for her approval at 10:30 a.m., February 14, 2024.

5

6

Respectfully submitted,
Hugh M. Bartels, Chair

7 MR. SPEAKER:

8 The Committee on House State Affairs respectfully reports that it has had under consideration
9 **HB 1199** and returns the same with the recommendation that said bill do NOT pass.

10

11

Respectfully submitted,
Will Mortenson, Chair

12 MR. SPEAKER:

13 The Committee on House State Affairs respectfully reports that it has had under consideration
14 **HB 1217** which was tabled.

15 Also MR. SPEAKER:

16 The Committee on House State Affairs respectfully reports that it has had under consideration
17 **HB 1232** and returns the same with the recommendation that said bill be amended as follows:

18

1232C

19 On page 1, line 5, of the Introduced bill, after "facilitate" insert " communication,"

20 On page 1, line 5, of the Introduced bill, after "collaboration" insert ", and cooperation"

21 On page 1, line 6, of the Introduced bill, after "experts" insert "; to promote the exchange of
22 ideas and innovative solutions related to Indian child welfare; to expand partnerships with applicable
23 stakeholders; and to assist the department in formulating policies and procedures relating to Indian
24 child welfare"

25 On page 1, line 13, of the Introduced bill, delete " four times" and insert " one time"

26 On page 1, line 13, of the Introduced bill, delete ". The council shall choose from its members
27 a chair and a secretary, and the secretary shall keep minutes of each meeting. The council shall
28 make an annual report of the progress of its work to the Governor and the Legislature by January
29 first each year" and insert ", at the call of the chair. The representative of the Department of Social
30 Services shall serve as the chair of the advisory council"

31 And that as so amended, **HB 1232** do pass.

32 Also MR. SPEAKER:

33 The Committee on House State Affairs respectfully reports that it has had under consideration
34 **HB 1244** and returns the same with the recommendation that said bill do pass.

1 Also MR. SPEAKER:

2 The Committee on House State Affairs respectfully reports that it has had under consideration
 3 **HB 1234 and 1249, and HJR 5003** which were deferred to the 41st Legislative Day.

4 Respectfully submitted,
 5 Will Mortenson, Chair

6 MR. SPEAKER:

7 The Committee on House Education respectfully reports that it has had under consideration
 8 **HB 1048** and returns the same with the recommendation that said bill be amended as follows:

9 1048E

10 On page 1, line 1, of the Introduced bill, delete " the target" and insert " average"

11 On page 1, line 1, delete " salary" and insert " compensation and to establish a minimum
 12 teacher salary"

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

14 **"Section 1. That § 1-45-38 be AMENDED:**

15 **1-45-38.** There is hereby created the School Finance Accountability Board within the
 16 Department of Education. The board shall consist of five members appointed by the Governor. The
 17 members shall serve a term of four years.

18 The board may recommend that the provisions of § 13-13-73.5 be waived for a school district
 19 if the district can demonstrate that its lowest monthly general cash fund cash balance percentage is
 20 the result of special circumstances.

21 The board may recommend that a penalty against a school district imposed under ~~§ 13-13-~~
 22 ~~73.6~~ section 5 of this Act be waived, in whole or in part, if the district can demonstrate that its
 23 failure to comply with § 13-13-73.6 or section 4 of this Act is due to special circumstances. The
 24 board may recommend the Department of Education review the accreditation of a school district
 25 that is found not to be complying with §§ 13-13-73.5, 13-13-73.6, or section 4 of this Act.

26 The School Finance Accountability Board shall promulgate rules pursuant to chapter 1-26 to
 27 establish the appeals process provided for in ~~§ 13-13-73.6,~~ section 5 of this Act, and to establish
 28 the factors that may be considered in considering a waiver requested by a school district, which
 29 shall include the impact of retirements.

30 The Joint Committee on Appropriations or the Interim Committee on Appropriations shall
 31 review any waivers of § 13-13-73.5 ~~or, 13-13-73.6, or section 4 of this Act~~ recommended by the
 32 School Finance Accountability Board. For a waiver recommended by the board under this section,
 33 the committee may provide any suggested change to the waiver. Not more than thirty days following
 34 receipt of a suggested change from the committee, the board may amend the recommended waiver
 35 in accordance with the suggested change and shall resubmit the recommended waiver. The Joint
 36 Committee on Appropriations or the Interim Committee on Appropriations shall approve, amend, or
 37 deny any waiver recommended by the board. The Department of Education shall annually report to
 38 the Governor and the Legislature the information collected pursuant to §§ 13-8-47 and 13-13-73.6.

39 **Section 2. That § 13-8-47 be AMENDED:**

40 **13-8-47.** ~~Before the first day of August first,~~ every school board shall file an annual report
 41 with the Department of Education. The report ~~shall~~ must contain all the educational and financial
 42 information and statistics of the school district as requested in a format established by the

1 Department of Education. The report ~~shall~~ must also contain, for each month of the fiscal year, the
 2 month-end cash balances of the school district's general fund, capital outlay fund, pension fund, and
 3 special education fund. The report ~~shall~~ must also contain the following information for the district
 4 from the preceding fiscal year:

5 (1) Total teacher compensation, which is defined as the total amount spent on
 6 instructional salaries and benefits for certified instructional staff;

7 (2) Average teacher compensation, which is calculated by dividing the total teacher
 8 compensation by the total full time equivalence of certified instructional staff employed by the school
 9 district;

10 (3) The total amount spent on instructional salaries for certified instructional staff;

11 ~~(3)~~(4) The total amount spent on benefits for certified instructional staff;

12 ~~(4)~~(5) The total ~~number~~ full time equivalence of certified instructional staff employed by
 13 the school district; and

14 ~~(5)~~(6) Any other information necessary to comply with the provisions of SL 2016, ch 83.

15 The business manager, with the assistance of the secretary of the Department of Education,
 16 shall make the annual report, and it ~~shall~~ must be approved by the school board. The business
 17 manager shall sign the annual report and file a copy with the Department of Education as provided
 18 in § 13-13-37. The ~~division~~ department shall audit the report and return one copy to the school
 19 district.

20 Reports not filed prior to August thirtieth are considered past due and are subject to the past-
 21 due provisions of § 13-13-38.

22 **Section 3. That § 13-13-73.6 be AMENDED:**

23 **13-13-73.6.** The Department of Education shall calculate the ~~following for each school district:~~

24 ~~— (1) —~~ The average teacher salary for each school district, based on data collected pursuant to
 25 §§ 13-3-51 and 13-8-47;

26 ~~— (2) —~~ The increase in local need pursuant to § 13-13-10.1, ~~excluding any effect due to change~~
 27 ~~in the school district's fall enrollment and less the amount of revenue generated in school fiscal year~~
 28 ~~2016 as a percentage increase, from fiscal year 2016 to fiscal year 2017; and~~

29 ~~— (3) —~~ The increase in average teacher compensation as a percentage increase, as defined in
 30 § 13-8-47, from fiscal year 2016 to fiscal year 2017.

31 For each fiscal year from 2019 to 2024, inclusive, if a district's average teacher compensation
 32 is less than the district's average teacher compensation in fiscal year 2017, state aid to general
 33 education funding to the district in the following fiscal year must be reduced by an amount equal to
 34 five hundred dollars for each teacher employed in the school district.

35 A school district may request a waiver from any penalty imposed under this section from the
 36 School Finance Accountability Board.

37 Beginning with fiscal year 2025 and every fiscal year thereafter, each school district must
 38 increase its average teacher compensation, as referenced in § 13-8-47, by the percentage change
 39 in the target teacher salary from the previous fiscal year to the current fiscal year as adopted by
 40 the legislature.

41 **Section 4. That a NEW SECTION be added to chapter 13-13:**

1 Beginning July 1, 2026, each school district must pay each full-time teacher a salary at least
 2 equal to the state minimum salary.

3 For the purposes of this section, the term "state minimum salary" is forty-five thousand dollars
 4 for fiscal year 2025. For fiscal year 2026 and thereafter, the state minimum salary is calculated by
 5 increasing the previous year's state minimum salary by the percentage change in the target teacher
 6 salary from the previous fiscal year to the current fiscal year as adopted by the legislature.

7 **Section 5. That a NEW SECTION be added to chapter 13-13:**

8 The Department of Education must decrease state aid to general education funding to the
 9 school district in the following fiscal year by five hundred dollars for each teacher employed in the
 10 school district if:

11 (1) The school district does not increase the school district's average teacher compensation in
 12 accordance with § 13-13-73.6; or

13 (2) The school district does not pay each full-time teacher a salary at least equal to the state
 14 minimum salary as defined in section 4 of this Act.

15 A school district may request a waiver from any penalty imposed under this section from the
 16 School Finance Accountability Board.

17 **Section 6. That § 13-16-26.2 be AMENDED:**

18 **13-16-26.2.** Notwithstanding § 13-16-26, no school district may transfer any funds, exclusive
 19 of federal funds and wind energy tax revenue that is defined in § 13-13-10.1 and apportioned
 20 pursuant to § 10-35-21, from the general fund to the capital outlay fund, bond redemption fund, or
 21 the capital projects fund.

22 The authority provided by this section for the transfer of wind energy tax revenue is conditioned
 23 annually upon the district obtaining, from the Department of Education, verification that the ~~average~~
 24 ~~compensation of teachers in the district, as based on the most recently approved financial report,~~
 25 ~~exceeds the average compensation rate for the 2017 fiscal year~~ school district is in compliance with
 26 § 13-13-73.6 and section 4 of this Act.

27 The transfer of wind energy tax revenue must be made within the ten-year timeframe identified
 28 ~~in subdivision 13-13-10.1(6B)~~ § 13-13-10.1 for each new wind farm. The maximum amount a school
 29 district may transfer on an annual basis is the amount of wind energy tax revenue that is able to be
 30 retained by the district and not counted as local effort.

31 Notwithstanding § 13-16-6, wind energy tax revenue transferred to the capital outlay fund
 32 under the authority of this section must remain separately identified and may not thereafter be
 33 returned to the general fund."

1048F

34 On amendment (1048E),

35 On page 2, line 13, after "fund" delete ", pension fund"

36 On page 2, line 18, delete " full time" and insert " full-time"

37 On page 2, line 22, delete " full time" and insert " full-time"

38 On page 3, line 19, delete " by" and insert " so that cumulative increase in the average teacher
 39 compensation since fiscal year 2024 is greater than or equal to"

40 On page 3, line 20, after "the " insert "cumulative "

1 On page 3, line 20, delete " from the previous fiscal year to the current fiscal year as adopted
2 by the legislature" and insert " since fiscal year 2024"

3 On page 3, line 23, after "full-time" insert " equivalent"

4 On page 3, line 32, after "each" insert " full-time equivalent"

5 On page 4, line 3, after "full-time" insert " equivalent"

6 And that as so amended, **HB 1048** do pass.

7 Also MR. SPEAKER:

8 The Committee on House Education respectfully reports that it has had under consideration
9 **HB 1184** with the recommendation that said bill be amended as follows:

10 1184A

11 On page 1, line 3, of the Introduced bill, delete the comma and insert " and"

12 On page 1, line 3, of the Introduced bill, after "therefore" delete ", and to declare an
13 emergency"

14 On page 1, line 9, of the Introduced bill, delete " 2024" and insert " 2025"

15 On page 1, line 9, of the Introduced bill, delete " 2028" and insert " 2029"

16 On page 1, line 12, of the Introduced bill, delete " 2024" and insert " 2025"

17 On page 1, line 13, of the Introduced bill, delete " April 30, 2024" and insert " January 1, 2025"

18 On page 1, line 21, of the Introduced bill, delete " 2024" and insert " 2025"

19 On page 1, line 21, of the Introduced bill, delete " 2028" and insert " 2029"

20 On page 2, line 1, of the Introduced bill, delete " 2024" and insert " 2025"

21 On page 2, line 1, of the Introduced bill, delete "2028" and insert " 2029"

22 On page 2, line 5, of the Introduced bill, after "4-8." delete "Section 8. Whereas, this Act is
23 necessary for the support of the state government and its existing public institutions, an emergency
24 is hereby declared to exist, and this Act shall be in full force and effect from and after its passage
25 and approval."

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

28 Also MR. SPEAKER:

29 The Committee on House Education respectfully reports that it has had under consideration
30 **HB 1218** which was deferred to the 41st Legislative Day.

31 Respectfully submitted,
32 Mike Stevens, Chair

1 MR. SPEAKER:

2 The Committee on House Commerce and Energy respectfully reports that it has had under
3 consideration **HB 1207 and 1221** which were deferred to the 41st Legislative Day.

4 Also MR. SPEAKER:

5 The Committee on House Commerce and Energy respectfully reports that it has had under
6 consideration **HB 1240** and returns the same with the recommendation that said bill do pass.

7 Respectfully submitted,
8 Mike Weisgram, Chair

9 MR. SPEAKER:

10 The Committee on House Judiciary respectfully reports that it has had under consideration
11 **HB 1153, 1174, and 1254** which were deferred to the 41st Legislative Day.

12 Also MR. SPEAKER:

13 The Committee on House Judiciary respectfully reports that it has had under consideration
14 **HB 1257** and returns the same with the recommendation that said bill be amended as follows:

15 1257A

16 On page 3, line 7, of the Introduced bill, delete " any reliable and accurate method" and insert
17 " a procedure"

18 On page 3, line 9, of the Introduced bill, delete " verifying any" and insert " using the following"

19 On page 3, line 9, of the Introduced bill, after "means" delete " of identification, including"

20 On page 3, line 13, of the Introduced bill, after "information;" delete " or"

21 On page 3, line 15, of the Introduced bill, after "older;" insert " or

22 (e) Any other method that reliably and accurately determines if a user of a covered platform
23 is a minor and prevents access by minors to the content on a covered platform;"

24 And that as so amended, **HB 1257** do pass.

25 Respectfully submitted,
26 Jon Hansen, Chair

27 MR. SPEAKER:

28 The House Committee on Appropriations respectfully reports that it has had under
29 consideration **HB 1098 and 1131** and returns the same with the recommendation that said bills
30 do pass.

31 Also MR. SPEAKER:

32 The House Committee on Appropriations respectfully reports that it has had under
33 consideration **HB 1201** with the recommendation that said bill be referred to the Joint Committee
34 on Appropriations.

1 Also MR. SPEAKER:

2 The House Committee on Appropriations respectfully reports that it has had under
3 consideration **HB 1211** and returns the same with the recommendation that said bill do pass, and
4 having been certified as uncontested, be placed on the consent calendar.

5 Also MR. SPEAKER:

6 The House Committee on Appropriations respectfully reports that it has had under
7 consideration **HB 1238** which was deferred to the 41st Legislative Day.

8 Respectfully submitted,
9 Mike Derby, Chair

10 **MESSAGES FROM THE SENATE**

11 MR. SPEAKER:

12 I have the honor to transmit herewith **SB 96, 137, 138, and 219** which have passed the
13 Senate and your favorable consideration is respectfully requested.

14 Respectfully,
15 Peggy Laurenz, Secretary

16 **MOTIONS AND RESOLUTIONS**

17 Rep. Mortenson moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
18 Thursday, February 15, the 25th legislative day.

19 Rep. Mortenson moved that **HB 1140, 1141, 1142, and 1143** be deferred to Thursday,
20 February 15, 2024, the 25th legislative day.

21 Which motion prevailed.

22 **SCR 603:** A CONCURRENT RESOLUTION, Opposing the adoption and development of a central
23 bank digital currency.

24 Was read the second time.

25 Rep. Stevens moved that **SCR 603** as found on page 318 of the House Journal be
26 concurred in.

27 The question being on Rep. Stevens' motion that **SCR 603** be concurred in.

28 And the roll being called:

29 Yeas 69, Nays 0, Excused 1, Absent 0

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

8 Excused: Lesmeister

9 So the motion having received an affirmative vote of a majority of the members-elect, the
 10 Speaker declared the motion carried and **SCR 603** was concurred in.

11 Rep. Hansen moved that the Committee on Commerce and Energy be instructed to deliver
 12 **HB 1219** to the floor of the House, pursuant to JR 7-7.

13 Which motion was supported and the committee was so instructed.

14 **CONSIDERATION OF REPORTS OF COMMITTEES**

15 Rep. Mortenson moved that the reports of the Standing Committees on
 16 Health and Human Services on **HB 1202** as found on page 315 of the House Journal; and
 17 Taxation on **HB 1255** as found on page 315 of the House Journal be adopted.

18 Which motion prevailed and the reports were adopted.

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

20 **SB 137:** FOR AN ACT ENTITLED, An Act to make an appropriation for the health and wellbeing
 21 of South Dakotans.

22 **SB 138:** FOR AN ACT ENTITLED, An Act to make an appropriation to provide for the
 23 development of South Dakota.

24 Were read the first time and referred to the House Committee on Appropriations.

25 **SB 219:** FOR AN ACT ENTITLED, An Act to modify provisions related to the control of counties
 26 and municipalities over medical marijuana establishments within their jurisdictions.

27 Was read the first time and referred to the Committee on Local Government.

28 **SB 96:** FOR AN ACT ENTITLED, An Act to prohibit the use of a deepfake to influence an election
 29 and to provide a penalty therefor.

30 Was read the first time and referred to the Committee on State Affairs.

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SECOND READING OF CONSENT CALENDAR ITEMS

2

SB 46: FOR AN ACT ENTITLED, An Act to authorize the disclosure of referral status by Department of Human Services personnel.

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SB 131: FOR AN ACT ENTITLED, An Act to include shelterbelts as a factor affecting productivity in determining assessed value of agricultural land.

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Were read the second time.

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The question being "Shall **SB 131** pass as amended, and **SB 46** pass?"

8

And the roll being called:

9

Yeas 67, Nays 1, Excused 2, Absent 0

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Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, Conzet, 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, Massie, May, Mills, Moore, Mortenson, Mulder, Nelson, Odenbach, Otten (Ernie), Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Pourier, Randolph, Rehfeldt, Reisch, Sauder, Schaeffbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

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Nays: Mulally

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Excused: Lesmeister and Reimer

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

20

21

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

22

HB 1229: FOR AN ACT ENTITLED, An Act to add a county as able to be assigned responsibility for secondary highways on municipal boundaries.

23

24

Was read the second time.

25

Rep. Perry moved that **HB 1229** be amended as follows:

26

1229C

27

On page 1, line 5, of the House Local Government Engrossed bill, after "secondary" delete " and county"

28

29

On page 1, line 7, of the House Local Government Engrossed bill, after "township, " delete "county,"

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31

On page 1, line 9, of the House Local Government Engrossed bill, delete "The county highways on the boundary lines of a municipality shall be assigned to the charge of the governing body of the municipality or the board of county commissioners as may be agreed upon by the respective board of county commissioners and respective governing body of the municipality and in case of disagreement, as determined by the Transportation Commission " and insert " A highway on the county highway system that is also on the boundary line of any municipality must be assigned to the charge of the municipality, board of supervisors of adjoining civil townships, or the board of county commissioners in the case of unorganized territory as may be agreed upon by the respective

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1 governing bodies and the secretary of transportation and in case of disagreement, as determined
2 by the secretary of transportation"

3 On page 1, line 13, of the House Local Government Engrossed bill, after "." insert " Any highway
4 segment assigned exclusively to the charge of a municipality or board of supervisors of a civil
5 township is not part of the county highway system."

6 Which motion prevailed.

7 The question being "Shall **HB 1229** pass as amended?"

8 And the roll being called:

9 Yeas 66, Nays 2, Excused 2, Absent 0

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

17 Nays: Emery and Poirier

18 Excused: Lesmeister and Reimer

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

21 **HB 1158**: FOR AN ACT ENTITLED, An Act to limit reliance upon secondary sources as
22 statements of law.

23 Was read the second time.

24 The question being "Shall **HB 1158** pass as amended?"

25 And the roll being called:

26 Yeas 62, Nays 7, Excused 1, Absent 0

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

34 Nays: Duba, Emery, Healy, Nelson, Sauder, Stevens, and Wittman

35 Excused: Lesmeister

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

1 **HB 1224:** FOR AN ACT ENTITLED, An Act to require the creation of an informational video and
2 other materials describing the state's abortion law and medical care for a pregnant woman
3 experiencing life-threatening or health-threatening medical conditions.

4 Was read the second time.

5 The question being "Shall **HB 1224** pass as amended?"

6 And the roll being called:

7 Yeas 63, Nays 6, Excused 1, Absent 0

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

15 Nays: Donnell, Duba, Healy, Nelson, Pourier, and Wittman

16 Excused: Lesmeister

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

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

21 Was read the second time.

22 The question being "Shall **HB 1228** pass?"

23 And the roll being called:

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

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

32 Nays: Gross

33 Excused: Lesmeister

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

36 **HB 1162:** FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to time of
37 school district elections.

38 Was read the second time.

1 The question now being "Shall **HB 1162** pass?"

2 And the roll being called:

3 Yeas 40, Nays 29, Excused 1, Absent 0

4 Yeas: Arlint, Auch, Aylward, Cammack, Chaffee, Conzet, Derby, Deutsch, Donnell, Duffy,
5 Gross, Hansen, Heermann, Jensen (Phil), Karr, Krohmer, Ladner, Lems, May, Mills, Mortenson,
6 Mulally, Mulder, Odenbach, Otten (Ernie), Peterson (Sue), Pourier, Randolph, Rehfeldt, Reisch,
7 Schaeftbauer, Shorma, Sjaarda, Soye, St. John, Tordsen, Venhuizen, Wangsness, Weisgram, and
8 Speaker Bartels

9 Nays: Bahmuller, Blare, Callies, Chase, DeGroot, Drury, Duba, Emery, Fitzgerald, Healy,
10 Jamison, Jensen (Kevin), Kassin, Koth, Krull, Kull, Massie, Moore, Nelson, Overweg, Perry, Peterson
11 (Drew), Pinnow, Reimer, Sauder, Schneider, Stevens, Teunissen, and Wittman

12 Excused: Lesmeister

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 Rep. Mortenson moved that the balance of the calendar including **SB 94, 112, 152, and 172**
16 be deferred to Thursday, February 15, 2024, the 25th legislative day.

17 Which motion prevailed.

18 **SIGNING OF BILLS**

19 The Speaker publicly read the title to

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

22 **SB 55:** FOR AN ACT ENTITLED, An Act to remove multiple vehicle ownership as a condition for
23 purchasing an additional park entry license at a reduced price.

24 **SB 108:** FOR AN ACT ENTITLED, An Act to revise a provision related to retrocession of
25 jurisdiction over federal enclaves.

26 **SB 118:** FOR AN ACT ENTITLED, An Act to permit the use of an online management and
27 communication platform to be used by homeowners who are governed by a restrictive contract.

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

29 **COMMEMORATIONS**

30 **HC 8020:** A LEGISLATIVE COMMEMORATION, Honoring Pat Powers for his years of service to
31 the South Dakota Republican Party.

32 Introduced by: **Representative** Jensen (Phil).

1 Rep. Drury moved that the House do now adjourn, which motion prevailed and at 3:14 p.m.
2 the House adjourned.

3

Patricia Miller, Chief Clerk