

# *JOURNAL OF THE HOUSE*

## *NINETY-NINTH SESSION*

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THIRTIETH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Monday, February 26, 2024

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

The prayer was offered by the Chaplain, Donell Chambers, followed by the Pledge of Allegiance led by House pages Rachel Heinemann and Rebecca Heinemann.

Roll Call: All members present except Rep. Nelson 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 29th 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 1083, 1085, 1087,**  
 4 **1088, 1116, 1117, 1126, and 1135** were delivered to her Excellency, the Governor, for her  
 5 approval at 10:35 a.m., February 26, 2024.

6  
7Respectfully submitted,  
Hugh M. Bartels, Chair

8 MR. SPEAKER:

9 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and  
 10 Enrolling has carefully compared **HB 1038, 1076, 1089, 1096, 1183, 1197, and 1231** and finds  
 11 the same correctly enrolled.

12  
13Respectfully submitted,  
Hugh M. Bartels, Chair

14 MR. SPEAKER:

15 The Committee on House Commerce and Energy respectfully reports that it has had under  
 16 consideration **SB 190** and returns the same with the recommendation that said bill do pass, and  
 17 having been certified as uncontested, be placed on the consent calendar.

18 Also MR. SPEAKER:

19 The Committee on House Commerce and Energy respectfully reports that it has had under  
 20 consideration **SB 201** and returns the same with the recommendation that said bill be amended as  
 21 follows:

22

201J

23 On page 3, after line 7, of the Senate Engrossed bill, insert: "

24 **Section 6. That § 49-41B-1 be AMENDED:**

25 **49-41B-1.** The Legislature finds that energy development and material transmission in South  
 26 Dakota and the Northern Great Plains significantly affects the welfare of the population, the  
 27 environmental quality, the location and growth of industry, and the use of the natural resources of  
 28 the state. The Legislature also finds that by assuming permit authority, that the state must also  
 29 ensure that ~~these permitted~~ facilities are constructed in an orderly and timely manner ~~so that the~~  
 30 ~~energy requirements of the people of the state are fulfilled.~~ Therefore, it is necessary to ensure that  
 31 the location, construction, and operation of facilities will produce minimal adverse effects on the  
 32 environment and upon the citizens of this state by providing that a facility may not be constructed  
 33 or operated in this state without first obtaining a permit from the commission."

34 On page 3, after line 7, of the Senate Engrossed bill, insert: "

35 **Section 7. That § 49-41B-28 be AMENDED:**

36 **49-41B-28.** A permit for the construction of a transmission facility within a designated area  
 37 ~~may~~ must supersede or preempt any county or municipal land use, zoning, ~~or building rules, or~~  
 38 safety standards, regulations, or ordinances upon a finding by the Public Utilities Commission that  
 39 such rules, or regulation, or ordinances, as applied to the proposed route, are unreasonably  
 40 restrictive in view of existing technology, factors of cost, or economics, or needs of parties where

1 ~~located in or out of the county or municipality or such regulations or ordinances are preempted by~~  
2 ~~federal law. Without such a finding by the commission, no route shall be designated which violates~~  
3 ~~local land use zoning, or building rules, or regulations, or ordinances~~

4 An ordinance or regulation is preempted by federal law if:

5 (1) The ordinance or regulation directly conflicts with any federal statute, regulation, standard,  
6 or common law pertaining to the same subject matter;

7 (2) Any applicable federal statute expressly prohibits a state or political subdivision from  
8 enacting any ordinance, regulation, or standard pertaining to the same subject matter; or

9 (3) Any applicable federal statute delegates to a federal agency sole authority to enact any  
10 regulation or standard pertaining to the same subject matter."

11 On page 4, line 1, of the Senate Engrossed bill, after "49-41B:" delete "A county, municipality,  
12 township, or other governmental unit, including governmental units chartered under S. D. Const. ,  
13 Art. IX, § 2, may not pass or enforce an ordinance that regulates, restricts, or prohibits a gas or  
14 liquid transmission line or an electric transmission line which requires or holds a permit under  
15 chapter 49-41B, including without limitation any requirement or restrictions as to routing, setback,  
16 construction, operation, maintenance, and zoning permits. Nothing herein restricts the ability of the  
17 commission to establish setbacks, or to require the compliance of above-ground structures with  
18 generally applicable zoning ordinances, building, and fire codes.

19 This Act preempts any local law, ordinance, or regulation that conflicts with any provision of  
20 this chapter or any policy of the state implemented in accordance with this chapter and,  
21 notwithstanding any other provision of law, a governmental unit of this state may not enact or  
22 enforce an ordinance, local law, or regulation conflicting with or preempted by this chapter."

23 And that as so amended, **SB 201** do pass.

24 Respectfully submitted,  
25 Mike Weisgram, Chair

26 MR. SPEAKER:

27 The Committee on House Judiciary respectfully reports that it has had under consideration  
28 **SB 77** which was deferred to the 41st Legislative Day.

29 Also MR. SPEAKER:

30 The Committee on House Judiciary respectfully reports that it has had under consideration  
31 **SB 203** and returns the same with the recommendation that said bill do pass.

32 Respectfully submitted,  
33 Jon Hansen, Chair

34 **MESSAGES FROM THE SENATE**

35 MR. SPEAKER:

36 I have the honor to transmit herewith **SB 170** which has passed the Senate and your favorable  
37 consideration is respectfully requested.

1 Also MR. SPEAKER:

2 I have the honor to return herewith **HB 1096, 1183, 1197, and 1231** which have passed the  
3 Senate without change.

4 Respectfully,  
5 Peggy Laurenz, Secretary

6 **CONSIDERATION OF REPORTS OF COMMITTEES**

7 Rep. Mortenson moved that the report of the Standing Committee on

8 Joint Appropriations on **HB 1022, 1061, 1065, and 1093** as found on page 390 of the House  
9 Journal be adopted.

10 Which motion prevailed and the report was adopted.

11 There being no objection, the House reverted to Order of Business No. 5 - Reports of Standing  
12 Committees.

13 **REPORTS OF STANDING COMMITTEES**

14 MR. SPEAKER:

15 The Committee on House State Affairs respectfully reports that it has had under consideration  
16 **SB 120** which was deferred to the 41st Legislative Day.

17 Also MR. SPEAKER:

18 The Committee on House State Affairs respectfully reports that it has had under consideration  
19 **SB 208** and returns the same with the recommendation that said bill be amended as follows:

20 208B

21 On page 1, line 12, of the Senate Commerce and Energy Engrossed bill, delete " quarterly"  
22 and insert " biannual"

23 And that as so amended, **SB 208** do pass, and having been certified as uncontested, be placed  
24 on the consent calendar.

25 Also MR. SPEAKER:

26 The Committee on House State Affairs respectfully reports that it has had under consideration  
27 **SB 20, and SJR 501** and returns the same with the recommendation that said bill and resolution  
28 do pass.

29 Respectfully submitted,  
30 Will Mortenson, Chair

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

2

**SB 170:** FOR AN ACT ENTITLED, An Act to repeal and replace an appropriation regarding the South Dakota women's prison and to declare an emergency.

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4

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

5

**SECOND READING OF CONSENT CALENDAR ITEMS**

6

Rep. Mulally requested that **SB 182** be removed from the Consent Calendar.

7

**SB 61:** FOR AN ACT ENTITLED, An Act to repeal the Visitation Grant Advisory Group.

8

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

9

10

**SB 148:** FOR AN ACT ENTITLED, An Act to provide permissive authority to a governing body of a municipality or county to deny reissuance of an on-sale license not actively used.

11

12

**SB 175:** FOR AN ACT ENTITLED, An Act to add a domestic abuse shelter to the definition of a community safety zone.

13

14

Were read the second time.

15

The question being "Shall **SB 64** pass as amended, and **SB 61, 148, and 175** pass?"

16

And the roll being called:

17

Yeas 68, Nays 0, Excused 2, Absent 0

18

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, Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Odenbach, Otten (Ernie), Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Pourier, Randolph, Rehfeldt, Reimer, Reisch, Sauder, Schaeffbauer, Schneider, Shorma, Sjaarda, Soye, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

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Excused: Nelson and St. John

26

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.

27

28

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

29

**HB 1201:** FOR AN ACT ENTITLED, An Act to make an appropriation for the teacher apprenticeship pathway program.

30

31

Was read the second time.

1 The question being "Shall **HB 1201** pass as amended?"

2 And the roll being called:

3 Yeas 63, Nays 5, Excused 2, Absent 0

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

11 Nays: Aylward, Jensen (Phil), Karr, May, and Sjaarda

12 Excused: Nelson and St. John

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

15 **HB 1022:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of  
16 Education to provide professional development in literacy to teachers, and to declare an emergency.

17 Was read the second time.

18 Rep. Venhuizen moved that **HB 1022** be amended as follows:

19 1022C

20 On page 1, line 5, of the Joint Appropriations Engrossed bill, delete " \$3,000,000" and insert "  
21 \$6,000,000"

22 Which motion prevailed.

23 The question being "Shall **HB 1022** pass as amended?"

24 And the roll being called:

25 Yeas 62, Nays 6, Excused 2, Absent 0

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

33 Nays: Aylward, Karr, Lems, Mulally, Odenbach, and Randolph

34 Excused: Nelson and St. John

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

1 **HB 1061:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to  
2 emergencies and disasters impacting the state and to declare an emergency.

3 Was read the second time.

4 The question being "Shall **HB 1061** pass as amended?"

5 And the roll being called:

6 Yeas 63, Nays 5, Excused 2, Absent 0

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

14 Nays: Duba, Gross, Jensen (Phil), Pourier, and Schaeffbauer

15 Excused: Nelson and St. John

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

18 **HB 1065:** FOR AN ACT ENTITLED, An Act to make an appropriation for the design and  
19 construction of a multi-use building on the grounds of the State Fair and to declare an emergency.

20 Was read the second time.

21 The question being "Shall **HB 1065** pass as amended?"

22 And the roll being called:

23 Yeas 57, Nays 12, Excused 1, Absent 0

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

30 Nays: Aylward, Emery, Gross, Healy, Jensen (Phil), May, Mulally, Odenbach, Pourier, Randolph,  
31 Soye, and Wittman

32 Excused: Nelson

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

35 **HB 1093:** FOR AN ACT ENTITLED, An Act to make an appropriation to provide a grant for the  
36 construction of a facility to provide certain health facilities and services.

37 Was read the second time.

1 Rep. Derby moved that **HB 1093** be amended as follows:

2 1093C

3 On page 1, line 4, of the Joint Appropriations Engrossed bill, delete "\$2,000,000" and insert "  
4 \$8,000,000"

5 Which motion prevailed.

6 The question being "Shall **HB 1093** pass as amended?"

7 And the roll being called:

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

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

16 Nays: Jensen (Phil)

17 Excused: Nelson

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 **HB 1064**: FOR AN ACT ENTITLED, An Act to make an appropriation for increases in the  
21 construction costs of infrastructure at Lake Alvin and Newell Lake, and to declare an emergency.

22 Was read the second time.

23 The question being "Shall **HB 1064** pass?"

24 And the roll being called:

25 Yeas 65, Nays 4, Excused 1, Absent 0

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

33 Nays: Drury, Krohmer, Mulally, and Soye

34 Excused: Nelson

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



1

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

2

**SB 43:** FOR AN ACT ENTITLED, An Act to establish procedures for the imposition of fines and probation against medical cannabis establishments, increase the allowable fee for a medical cannabis establishment registration certificate, and direct the Department of Health to promulgate rules to increase the fee for a registration certificate.

6

Was read the second time.

7

Rep. Rehfeldt moved that **SB 43** be amended as follows:

8

43C

9

On page 3, line 31, of the House Health and Human Services Engrossed bill, delete ":

10

(a) Program" and insert " program"

11

On page 3, line 32, of the House Health and Human Services Engrossed bill, after "and" delete

12

"

13

(b) Infrastructure and maintenance necessary for medical cannabis testing performed at the state public health laboratory;"

14

15

On page 3, line 35, of the House Health and Human Services Engrossed bill, after "laboratory;

16

(c) A" delete " and"

17

On page 4, line 17, of the House Health and Human Services Engrossed bill, delete " ten" and insert " nine"

18

19

Which motion prevailed.

20

The question being "Shall **SB 43** pass as amended?"

21

And the roll being called:

22

Yeas 59, Nays 10, Excused 1, Absent 0

23

Yeas: Arlint, Auch, Blare, Callies, Cammack, Chaffee, Chase, Conzet, DeGroot, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Heermann, Jamison, Jensen (Kevin), Karr, Koth, Krohmer, Krull, Kull, Ladner, Lems, Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulder, Odenbach, Otten (Ernie), Overweg, Perry, Peterson (Sue), Pinnow, Pourier, Randolph, Rehfeldt, Reimer, Reisch, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Wangsness, Weisgram, Wittman, and Speaker Bartels

28

29

Nays: Aylward, Bahmuller, Derby, Healy, Jensen (Phil), Kassin, Mulally, Peterson (Drew), Sauder, and Venhuizen

30

31

Excused: Nelson

32

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

33

34

**SB 117:** FOR AN ACT ENTITLED, An Act to revise provisions regarding industrial hemp.

35

Was read the second time.

1 The question being "Shall **SB 117** pass?"

2 And the roll being called:

3 Yeas 67, Nays 1, Excused 2, Absent 0

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

11 Nays: Fitzgerald

12 Excused: Nelson and Schaeftbauer

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 98:** FOR AN ACT ENTITLED, An Act to establish the admissibility of evidence of similar  
16 crimes in child molestation cases.

17 Was read the second time.

18 The question being "Shall **SB 98** pass?"

19 And the roll being called:

20 Yeas 44, Nays 25, Excused 1, Absent 0

21 Yeas: Arlint, Bahmuller, Blare, Cammack, Chaffee, Chase, DeGroot, Deutsch, Donnell, Drury,  
22 Duba, Duffy, Emery, Fitzgerald, Hansen, Healy, Heermann, Jamison, Kassin, Krull, Kull, Ladner,  
23 Lesmeister, Massie, Mortenson, Mulder, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Pourier,  
24 Randolph, Rehfeldt, Reisch, Sauder, Schneider, Shorma, St. John, Teunissen, Tordsen, Venhuizen,  
25 Wangsness, Weisgram, and Wittman

26 Nays: Auch, Aylward, Callies, Conzet, Derby, Gross, Jensen (Kevin), Jensen (Phil), Karr, Koth,  
27 Krohmer, Lems, May, Mills, Moore, Mulally, Odenbach, Otten (Ernie), Overweg, Reimer,  
28 Schaeftbauer, Sjaarda, Soye, Stevens, and Speaker Bartels

29 Excused: Nelson

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

32 **SB 58:** FOR AN ACT ENTITLED, An Act to revise provisions regarding money transmission.

33 Was read the second time.

34 The question being "Shall **SB 58** pass as amended?"

35 And the roll being called:

36 Yeas 51, Nays 18, Excused 1, Absent 0

1 Yeas: Arlint, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, Conzet, DeGroot, Derby,  
2 Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Healy, Heermann, Jamison, Kassin,  
3 Koth, Krull, Kull, Ladner, Lesmeister, Massie, Moore, Mortenson, Mulder, Odenbach, Otten (Ernie),  
4 Perry, Peterson (Drew), Pinnow, Pourier, Rehfeldt, Reimer, Reisch, Sauder, Schneider, St. John,  
5 Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

6 Nays: Auch, Aylward, Hansen, Jensen (Kevin), Jensen (Phil), Karr, Krohmer, Lems, May, Mills,  
7 Mulally, Overweg, Peterson (Sue), Randolph, Schaeftbauer, Shorma, Sjaarda, and Soye

8 Excused: Nelson

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

11 **SB 50:** FOR AN ACT ENTITLED, An Act to make an appropriation for the site preparation and  
12 construction of a prison facility for offenders committed to the Department of Corrections in Rapid  
13 City, to transfer moneys to the incarceration construction fund, and to declare an emergency.

14 Was read the second time.

15 The question being "Shall **SB 50** pass?"

16 And the roll being called:

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

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

25 Nays: Auch, Aylward, Jensen (Phil), Mulally, Randolph, Schaeftbauer, and Soye

26 Excused: Nelson

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

29 **SB 18:** FOR AN ACT ENTITLED, An Act to allow the secretary of state to share information  
30 from the statewide voter registration file.

31 Was read the second time.

32 The question being "Shall **SB 18** pass as amended?"

33 And the roll being called:

34 Yeas 56, Nays 12, Excused 1, Absent 1

35 Yeas: Arlint, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot, Derby, Deutsch,  
36 Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann, Jamison, Jensen  
37 (Kevin), Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lesmeister, Massie, May, Mills, Moore,  
38 Mortenson, Mulder, Odenbach, Otten (Ernie), Overweg, Perry, Peterson (Drew), Pinnow, Pourier,  
39 Rehfeldt, Reimer, Reisch, Sauder, Schneider, St. John, Stevens, Teunissen, Tordsen, Venhuizen,  
40 Wangsness, Weisgram, Wittman, and Speaker Bartels

1 Nays: Auch, Aylward, Conzet, Jensen (Phil), Karr, Lems, Mulally, Peterson (Sue), Randolph,  
2 Schaeftbauer, Sjaarda, and Soye

3 Excused: Nelson

4 Absent: Shorma

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

7 **SB 115:** FOR AN ACT ENTITLED, An Act to prevent a county, township, or municipality from  
8 authorizing a guaranteed income program.

9 Was read the second time.

10 The question being "Shall **SB 115** pass as amended?"

11 And the roll being called:

12 Yeas 64, Nays 5, Excused 1, Absent 0

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

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

21 Excused: Nelson

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

24 Rep. Mortenson moved that the balance of the calendar including **SB 6, 89, 90, and 211** be  
25 deferred to Tuesday, February 27, 2024, the 31<sup>st</sup> legislative day.

26 Which motion prevailed.

## 27 **SIGNING OF BILLS**

28 The Speaker publicly read the title to

29 **HB 1038:** FOR AN ACT ENTITLED, An Act to exclude certain habitual DUI offenders from  
30 eligibility for presumptive probation.

31 **HB 1076:** FOR AN ACT ENTITLED, An Act to require the consideration of the definition of  
32 antisemitism when investigating unfair or discriminatory practices.

33 **HB 1089:** FOR AN ACT ENTITLED, An Act to exclude certain crimes from presumptive  
34 probation.

1 **HB 1096:** FOR AN ACT ENTITLED, An Act to provide that a temporary restraining order may  
2 extend beyond thirty days in certain circumstances involving stalking.

3 **HB 1183:** FOR AN ACT ENTITLED, An Act to modernize the process for annual audits of third-  
4 party insurance administrators.

5 **HB 1197:** FOR AN ACT ENTITLED, An Act to require the publication of measures taken to  
6 restrict the access of obscene materials by minors.

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

9 **SB 9:** FOR AN ACT ENTITLED, An Act to further limit applications for clemency for violent crime  
10 offenders sentenced to life imprisonment.

11 **SB 15:** FOR AN ACT ENTITLED, An Act to require a convicted defendant to reimburse the cost  
12 of digital forensic examination fees.

13 **SB 42:** FOR AN ACT ENTITLED, An Act to modify provisions related to medical cannabis.

14 **SB 76:** FOR AN ACT ENTITLED, An Act to modify provisions pertaining to the appointment of  
15 vacant positions on a board or commission.

16 **SB 81:** FOR AN ACT ENTITLED, An Act to expand permission on installing electric wiring in a  
17 residence.

18 **SB 84:** FOR AN ACT ENTITLED, An Act to update the edition of the guidebook used for  
19 measuring damages to trees or plants.

20 **SB 85:** FOR AN ACT ENTITLED, An Act to revise a provision related to an action to quiet title  
21 to real property.

22 **SB 86:** FOR AN ACT ENTITLED, An Act to allow a municipality authorized to allow legal games  
23 of chance to issue additional off-sale liquor licenses to hotel-motel convention facilities.

24 **SB 112:** FOR AN ACT ENTITLED, An Act to establish a non-resident title fee.

25 **SB 152:** FOR AN ACT ENTITLED, An Act to establish maximum fees for legal publications and  
26 to remove related rule-making authority from the Bureau of Administration.

27 **SB 169:** FOR AN ACT ENTITLED, An Act to revise provisions regarding drones.

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

29 **COMMEMORATIONS**

30 **HC 8026:** A LEGISLATIVE COMMEMORATION, Recognizing Jack Cochrane for his achievements  
31 as a collegiate athlete at the University of South Dakota and congratulating him on his success as a  
32 two-time Super Bowl champion with the Kansas City Chiefs.

33 Introduced by: **Representative** Kassin and **Senator** Davis.

34 **HC 8027:** A LEGISLATIVE COMMEMORATION, Celebrating the scoring of 1000 points by Justin  
35 "Cash" Albers.

36 Introduced by: **Representative** Cammack.

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1        **SC 811:** A LEGISLATIVE COMMEMORATION, Recognizing Coach Ben Irlbeck for his coaching  
2 success and exemplary service to his community.

3            Rep. Blare moved that the House do now adjourn, which motion prevailed and at 4:51 p.m.  
4 the House adjourned.

5  
Patricia Miller, Chief Clerk