

JOURNAL OF THE HOUSE

NINETY-NINTH SESSION

THIRTY-SECOND DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, February 28, 2024

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

The prayer was offered by the Chaplain, Rev. Craig Wexler, followed by the Pledge of Allegiance led by House pages Lucy Moon and Sabrina Strand.

Roll Call: All members present.

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 31st 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

COMMUNICATIONS AND PETITIONS

2

February 28, 2024

3

Mr. Speaker and Members of the House of Representatives:

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I have the honor to inform you that on February 28, 2024, I approved House Bills 1083, 1085, 1087, 1088, 1116, 1117, 1126, 1129, and 1135, and the same have been deposited in the office of the Secretary of State.

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Respectfully submitted,
Kristi Noem
Governor

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REPORTS OF STANDING COMMITTEES

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MR. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that **HB 1038, 1076, 1089, 1096, 1183, 1197, and 1231** were delivered to her Excellency, the Governor, for her approval at 9:40 a.m., February 28, 2024.

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Respectfully submitted,
Hugh M. Bartels, Chair

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MR. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **HB 1060, 1098, 1118, 1131, and 1211** and finds the same correctly enrolled.

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Respectfully submitted,
Hugh M. Bartels, Chair

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MR. SPEAKER:

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The Committee on House Education respectfully reports that it has had under consideration **SB 212** and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

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Respectfully submitted,
Mike Stevens, Chair

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MR. SPEAKER:

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The Committee on House State Affairs respectfully reports that it has had under consideration **SB 73, 127, 128, 129, and 177** and returns the same with the recommendation that said bills do pass.

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Also MR. SPEAKER:

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The Committee on House State Affairs respectfully reports that it has had under consideration **SB 123** and returns the same with the recommendation that said bill be amended as follows:

35

1

123C

2 On page 1, line 1, of the Introduced bill, delete "require" and insert "revise provisions
3 pertaining to voter registration requirements "

4 On page 1, line 1, after "require" insert "and"

5 On page 1, line 1, after "elections" delete " to meet annually to review the state's election law
6 and recommend changes"

7 On page 1, line 2, after "changes" delete " if necessary"

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

9 **"Section 1. That § 12-1-4 be AMENDED:**

10 **12-1-4.** For the purposes of this title, the term, ~~residence,~~ "resident" means ~~the place in which~~
11 ~~a person is domiciled as shown by an actual fixed permanent dwelling, establishment, or any other~~
12 ~~abode to which the person returns~~ a person who has, for thirty consecutive days prior to an election,
13 fixed a habitation in this state to which the person intends to return after a period of absence.

14 A person who leaves the ~~residence~~ person's habitation and goes into another county of this
15 state or another state or territory for a temporary purpose ~~has not changed residence~~ remains a
16 resident.

17 A person ~~is considered to have gained residence in~~ becomes a resident of any county or
18 municipality of this state in which the person actually lives, if the person has no present intention
19 of leaving.

20 A person ~~retains residence in~~ is a resident of this state until ~~another residence has been gained~~
21 the person becomes a resident of another state or territory. If a person moves from this state to
22 another state or territory with the intention of making it the person's ~~permanent home~~ habitation,
23 the person loses residence in is no longer a resident of this state.

24 **Section 2. That § 12-3-1 be AMENDED:**

25 **12-3-1.** Only a citizen of the United States may vote in a municipal, county, primary, general,
26 school district or any other election in this state, if the person is otherwise qualified.

27 Every person who, at the time of an election, ~~maintains residence in~~ is a resident of this state,
28 will be eighteen years of age or older on or before the next election, is not otherwise disqualified,
29 and complies with the law regarding the registration of voters pursuant to chapter 12-4, may vote
30 at any election in this state.

31 **Section 3. That § 12-4-1 be AMENDED:**

32 **12-4-1.** A person who ~~maintains residence, as provided in § 12-1-4, within the state for at~~
33 ~~least thirty days prior to submitting the registration form, and who has~~ is or will be a resident of this
34 state and has or will have the qualifications of a voter prescribed by § 12-3-1 or 12-3-1.1, ~~or who~~
35 ~~will have such qualifications~~ at the next ensuing municipal, county, primary, general, or school
36 district or any other election in this state, is entitled to be registered as a voter in the election
37 precinct in which the person maintains residence where the person is a resident.

38 A person eligible to vote may vote only in the election precinct where the person ~~maintains~~
39 residence is a resident.

40 **Section 4. That § 12-4-1.2 be AMENDED:**

41 **12-4-1.2.** The voter registration form must include a certification of voter eligibility by which
42 the applicant attests, under the penalty of perjury, that the applicant:

- 1 (1) Is a citizen of the United States;
- 2 (2) Will be eighteen years or older on or before the next election;
- 3 (3) ~~Has maintained residence in South Dakota for at least thirty days prior to submitting~~
 4 ~~the registration form.~~ Has or will have fixed a habitation in this state to which the person intends to
 5 return after a period of absence for at least thirty consecutive days before the next election;
- 6 (4) Has not been judged mentally incompetent;
- 7 (5) Is not currently serving a sentence for a felony conviction; and
- 8 (6) Authorizes the cancellation of a previous registration, if applicable.

9 **Section 5. That § 12-4-5 be AMENDED:**

10 **12-4-5.** The county auditor shall enter in the master registration file the name of each eligible
 11 person whose completed application for registration and mail registration card is received no later
 12 than ~~5:00~~ five p.m. local time at least ~~fifteen~~ thirty days preceding the election by the county auditor
 13 or the local, state, or federal agency responsible for conducting voter registration under this chapter.
 14 A voter registration completed at any local, state, or federal agency during any week commencing
 15 on Tuesday through the following Monday ~~shall~~ must be sent to the appropriate county auditor by
 16 the agency receiving the registration or mail registration card no later than the following Wednesday.
 17 The State Board of Elections may promulgate rules, pursuant to chapter 1-26, for the alternative
 18 transmission of voter registration information by computer from the agency to the secretary of state.
 19 The name of any voter who has registered to vote by ~~5:00~~ five p.m. local time ~~fifteen~~ thirty days
 20 preceding a runoff election ~~shall~~ must be added to the file used for the runoff election.

21 **Section 6. That § 12-4-12 be AMENDED:**

22 **12-4-12.** Any new registrant previously registered elsewhere ~~shall be in this state~~ is required
 23 to sign an authorization which shall must be forwarded by the registration official to the auditor or
 24 other appropriate registration official of the county of former registration, or other appropriate
 25 registration official, who shall remove the registrant's name from the registration file. If the new
 26 registrant previously registered in another state, the registration official must forward the
 27 authorization to the appropriate out-of-state-registration official.

28 **Section 7. That § 12-1-10 be AMENDED:**

29 **12-1-10.** The Board of Elections shall meet prior to the beginning of each legislative session
 30 to review the election laws of this state and recommend any desirable or necessary changes. The
 31 board shall report to and make recommendations any recommended changes to the secretary of
 32 state concerning desirable or necessary changes in the election laws of this state."

33 And that as so amended, **SB 123** do pass.

34 Also MR. SPEAKER:

35 The Committee on House State Affairs respectfully reports that it has had under consideration
 36 **SB 126** which was tabled.

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Respectfully submitted,
 Will Mortenson, Chair

1 MR. SPEAKER:

2 The Committee on House Commerce and Energy respectfully reports that it has had under
3 consideration **SB 165 and 217** and returns the same with the recommendation that said bills do
4 pass.

5 Respectfully submitted,
6 Mike Weisgram, Chair

7 MR. SPEAKER:

8 The Committee on House Judiciary respectfully reports that it has had under consideration
9 **SB 146** and returns the same with the recommendation that said bill be amended as follows:

10 146E

11 On page 1, line 5, of the Senate Judiciary Engrossed bill, delete " Class 5 felony" and insert "
12 Class 1 misdemeanor"

13 On page 1, line 16, of the Senate Judiciary Engrossed bill, after "office." insert "

14 A second or subsequent violation of this section is a Class 6 felony."

15 And that as so amended, **SB 146** do pass.

16 Also MR. SPEAKER:

17 The Committee on House Judiciary respectfully reports that it has had under consideration
18 **SB 191** and returns the same with the recommendation that said bill do pass, and having been
19 certified as uncontested, be placed on the consent calendar.

20 Respectfully submitted,
21 Jon Hansen, Chair

22 **MESSAGES FROM THE SENATE**

23 MR. SPEAKER:

24 I have the honor to return herewith **HB 1060, 1098, 1118, 1131, and 1211** which have
25 passed the Senate without change.

26 Also MR. SPEAKER:

27 I have the honor to return herewith **HB 1130, 1178, and 1225** which have been amended
28 by the Senate and your concurrence in the amendments is respectfully requested.

29 Also MR. SPEAKER:

30 I have the honor to inform your honorable body that the Senate has concurred in House
31 amendments to **SB 99 and 111**.

1 Also MR. SPEAKER:

2 I have the honor to transmit herewith **SB 45, 49, 53, 80, 83, 134, 144, 168, 187, and 209**
3 which have passed the Senate and your favorable consideration is respectfully requested.

4 Respectfully,
5 Peggy Laurenz, Secretary

6 **MOTIONS AND RESOLUTIONS**

7 Rep. Mortenson moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
8 Thursday, February 29, 2024, the 33rd legislative day.

9 Which motion prevailed.

10 Rep. Mortenson moved that **SB 137 and 138** be deferred to Monday, March 4, 2024, the 34th
11 legislative day.

12 Which motion prevailed.

13 Rep. Mulder moved that the House do concur in Senate amendments to **HB 1125**.

14 The question being on Rep. Mulder's motion that the House do concur in Senate amendments
15 to **HB 1125**.

16 And the roll being called:

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

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

25 Nays: Mulally

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

28 Rep. Sauder moved that the House do concur in Senate amendments to **HB 1187**.

29 The question being on Rep. Sauder's motion that the House do concur in Senate amendments
30 to **HB 1187**.

31 And the roll being called:

32 Yeas 70, Nays 0, Excused 0, 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, Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Otten
 5 (Ernie), Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Pourier, Randolph, Rehfeldt,
 6 Reimer, Reisch, Sauder, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens,
 7 Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

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

10 Rep. Wittman moved that the House do concur in Senate amendments to **HB 1195**.

11 The question being on Rep. Wittman's motion that the House do concur in Senate amendments
 12 to **HB 1195**.

13 And the roll being called:

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

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

22 Nays: Mulally

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

25 **CONSIDERATION OF REPORTS OF COMMITTEES**

26 Rep. Mortenson moved that the report of the Standing Committee on
 27 Health and Human Services on **SB 151** as found on page 410 of the House Journal be adopted.
 28 Which motion prevailed and the report was adopted.

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

30 **SB 45:** FOR AN ACT ENTITLED, An Act to make an appropriation for the establishment of a
 31 Center for Quantum Information Science and Technology and to declare an emergency.

32 **SB 49:** FOR AN ACT ENTITLED, An Act to make an appropriation for the site preparation of a
 33 prison facility for offenders committed to the Department of Corrections, to transfer moneys to the
 34 incarceration construction fund, and to declare an emergency.

35 **SB 53:** FOR AN ACT ENTITLED, An Act to make an appropriation for eligible water and
 36 wastewater projects and to declare an emergency.

37 **SB 80:** FOR AN ACT ENTITLED, An Act to improve technology equipment for providers of
 38 elderly care and to make an appropriation therefor.

1 **SB 83:** FOR AN ACT ENTITLED, An Act to make an appropriation for the revised construction
 2 costs of maintenance shops for the Wildland Fire Suppression Division and to declare an emergency.

3 **SB 134:** FOR AN ACT ENTITLED, An Act to make an appropriation to create the healthy forest
 4 critical infrastructure relief and grant program and to declare an emergency.

5 **SB 144:** FOR AN ACT ENTITLED, An Act to make an appropriation for grants to support airport
 6 terminal improvement, expansion, and infrastructure projects.

7 **SB 168:** FOR AN ACT ENTITLED, An Act to make an appropriation for victim services.

8 **SB 187:** FOR AN ACT ENTITLED, An Act to make an appropriation to establish a cybersecurity
 9 services initiative for counties and municipalities and to declare an emergency.

10 **SB 209:** FOR AN ACT ENTITLED, An Act to make an appropriation for grants to assisted living
 11 centers and nursing facilities for costs related to telemedicine.

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

13 **SECOND READING OF CONSENT CALENDAR ITEMS**

14 Rep. Mulally requested that **SB 47 and 198** be removed from the Consent Calendar.

15 Rep. Aylward requested that **SB 1** be removed from the Consent Calendar.

16 **SB 29:** FOR AN ACT ENTITLED, An Act to allow eligible members of the South Dakota National
 17 Guard attending an in-state private, nonprofit post-secondary institution to receive the state tuition
 18 benefit.

19 **SB 208:** FOR AN ACT ENTITLED, An Act to establish reporting requirements for future fund
 20 awards or grants and to make technical changes.

21 Were read the second time.

22 The question being "Shall **SB 208** pass as amended, and **SB 29** pass?"

23 And the roll being called:

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

25 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, Conzet,
 26 DeGroot, Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Gross, Hansen, Healy, Heermann,
 27 Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,
 28 Lesmeister, 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: Fitzgerald

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

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SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

2

SB 201: FOR AN ACT ENTITLED, An Act to provide new statutory requirements for regulating linear transmission facilities, to allow counties to impose a surcharge on certain pipeline companies.

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Was read the second time.

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The question being "Shall **SB 201** pass as amended?"

6

And the roll being called:

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Yeas 40, Nays 30, Excused 0, Absent 0

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Yeas: Arlint, Blare, Callies, Cammack, Chase, Conzet, DeGroot, Derby, Drury, Duba, Duffy, Fitzgerald, Healy, Heermann, Jamison, Kassin, Koth, Krull, Kull, Lesmeister, Massie, Mortenson, Mulder, Nelson, Peterson (Drew), Rehfeldt, Reimer, Reisch, Sauder, Schneider, Shorma, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

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Nays: Auch, Aylward, Bahmuller, Chaffee, Deutsch, Donnell, Emery, Gross, Hansen, Jensen (Kevin), Jensen (Phil), Karr, Krohmer, Ladner, Lems, May, Mills, Moore, Mulally, Odenbach, Otten (Ernie), Overweg, Perry, Peterson (Sue), Pinnow, Pourier, Randolph, Schaeftbauer, Sjaarda, and Soye

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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.

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SB 70: FOR AN ACT ENTITLED, An Act to make an appropriation for the replacement of the Richmond Lake dam and spillway, for the general maintenance and repair of other state-owned dams, and to declare an emergency.

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Was read the second time.

22

The question being "Shall **SB 70** pass?"

23

And the roll being called:

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Yeas 69, Nays 0, Excused 1, 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, Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Otten (Ernie), Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Pourier, Randolph, Rehfeldt, Reisch, Sauder, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

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Excused: Reimer

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

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SB 66: FOR AN ACT ENTITLED, An Act to make an appropriation for eligible water, wastewater, and storm water projects throughout state government, and to declare an emergency.

36

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Was read the second time.

1 The question being "Shall **SB 66** pass?"

2 And the roll being called:

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

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

11 Excused: Reimer

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

14 **SB 67:** FOR AN ACT ENTITLED, An Act to provide for the sale of certain real estate located in
 15 Hughes County and to provide for the deposit of the proceeds into a continuously appropriated fund.

16 Was read the second time.

17 The question being "Shall **SB 67** pass?"

18 And the roll being called:

19 Yeas 66, Nays 3, Excused 1, Absent 0

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

27 Nays: Aylward, Mulally, and Randolph

28 Excused: Reimer

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

31 **SB 173:** FOR AN ACT ENTITLED, An Act to provide a landowner-on-own-land license for
 32 antlerless elk.

33 Was read the second time.

34 The question being "Shall **SB 173** pass as amended?"

35 And the roll being called:

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

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

7 Nays: Aylward, Bahmuller, Duba, Hansen, Heermann, Mulally, Nelson, Pourier, Randolph,
 8 Rehfeldt, Sjaarda, and Weisgram

9 Excused: Reimer

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

12 Speaker Pro Tempore Stevens now presiding.

13 **SB 72: FOR AN ACT ENTITLED, An Act to increase the annual limit of tax credits that an**
 14 **insurance company may claim through the partners in education tax credit program.**

15 Was read the second time.

16 The question being "Shall **SB 72** pass?"

17 And the roll being called:

18 Yeas 56, Nays 13, Excused 1, Absent 0

19 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Conzet, Deutsch,
 20 Donnell, Duffy, Fitzgerald, Gross, Hansen, Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin,
 21 Koth, Krohmer, Kull, Ladner, Lems, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder,
 22 Odenbach, Otten (Ernie), Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Pourier,
 23 Randolph, Rehfeldt, Reisch, Sauder, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John,
 24 Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, and Weisgram

25 Nays: Chase, DeGroot, Derby, Drury, Duba, Emery, Healy, Heermann, Krull, Lesmeister,
 26 Nelson, Wittman, and Speaker Bartels

27 Excused: Reimer

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

30 **SB 71: FOR AN ACT ENTITLED, An Act to remove a prohibition on the ability of law enforcement**
 31 **and various governmental entities to inspect, search, seize, prosecute, or impose disciplinary action**
 32 **on cannabis dispensaries, cultivation facilities, manufacturing facilities, and testing facilities.**

33 Was read the second time.

34 The question being "Shall **SB 71** pass?"

35 And the roll being called:

36 Yeas 59, Nays 10, Excused 1, Absent 0

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

7 Nays: Aylward, Duba, Emery, Healy, Lesmeister, Mulally, Nelson, Otten (Ernie), Pourier, and
 8 Wittman

9 Excused: Reimer

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

12 **SB 136:** FOR AN ACT ENTITLED, An Act to expand the scope of a physician wellness program
 13 and to declare an emergency.

14 Was read the second time.

15 The question being "Shall **SB 136** pass?"

16 And the roll being called:

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

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

25 Nays: Aylward, Jensen (Kevin), Jensen (Phil), Lems, Mulally, and Randolph

26 Excused: Reimer

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 199:** FOR AN ACT ENTITLED, An Act to revise provisions pertaining to the consolidation or
 30 boundary changes of counties.

31 Was read the second time.

32 The question being "Shall **SB 199** pass as amended?"

33 And the roll being called:

34 Yeas 64, Nays 4, Excused 2, Absent 0

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

8 Nays: Emery, Mulally, Otten (Ernie), and Pourier

9 Excused: Healy and Reimer

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

12 Speaker Bartels now presiding.

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

15 Was read the second time.

16 The question being "Shall **SB 219** pass as amended?"

17 And the roll being called:

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

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

26 Nays: Fitzgerald

27 Excused: Healy and Reimer

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

30 **SIGNING OF BILLS**

31 The Speaker publicly read the title to

32 **HB 1060:** FOR AN ACT ENTITLED, An Act to revise certain provisions related to travel
 33 reimbursement.

34 **HB 1098:** FOR AN ACT ENTITLED, An Act to provide free birth certificates to persons
 35 experiencing homelessness.

36 **HB 1118:** FOR AN ACT ENTITLED, An Act to revise unclaimed property provisions.

1 **HB 1131:** FOR AN ACT ENTITLED, An Act to waive certain fees for nondriver identification
2 cards for individuals who are homeless.

3 **HB 1211:** FOR AN ACT ENTITLED, An Act to repeal the Midwestern Regional Higher Education
4 Compact.

5 **SB 10:** FOR AN ACT ENTITLED, An Act to require that a notification of medical cannabis
6 certification be provided to a patient's primary or referring practitioner.

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

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

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

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

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

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

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

20 **SB 172:** FOR AN ACT ENTITLED, An Act to allow a person to temporarily take responsibility of
21 a feral cat for the purpose of spaying or neutering the animal.

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

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

25 **COMMEMORATIONS**

26 **HC 8029:** A LEGISLATIVE COMMEMORATION, Celebrating the wrestling career of Jackson
27 Remmers.

28 Introduced by: **Representatives** Reisch, Bahmuller, Callies, Duba, Emery, Fitzgerald, Koth,
29 Kull, Massie, Moore, Perry, Peterson (Drew), Pinnow, Pourier, Teunissen, and Weisgram and
30 **Senators** Crabtree, Deibert, Kolbeck (Jack), Schoenbeck, Stalzer, and Zikmund.

31 **HC 8030:** A LEGISLATIVE COMMEMORATION, Celebrating the achievements and continued
32 success of the Black Hills Powwow.

33 Introduced by: **Representatives** Pourier, Duba, Emery, Fitzgerald, Moore, Nelson, Perry,
34 Pinnow, Reisch, and Wittman and **Senators** Deibert, Foster, and Nesiba.

35 **HC 8031:** A LEGISLATIVE COMMEMORATION, Recognizing Nancy Green, the spokesperson for
36 Aunt Jemima, as a true American success story that was erased from history.

37 Introduced by: **Representative** Jensen (Phil) and **Senator** Pischke.

1 **SC 812:** A LEGISLATIVE COMMEMORATION, Recognizing the Dell Rapids Quarriers as the 2023
2 State 11A football champions.

3 **SC 813:** A LEGISLATIVE COMMEMORATION, Honoring the Slovek Ranch as the 2023 Leopold
4 Conservation Award recipient.

5 Rep. Drury moved that the House do now adjourn, which motion prevailed and at 5:11 p.m.
6 the House adjourned.

7
Patricia Miller, Chief Clerk

