

# *JOURNAL OF THE HOUSE*

## *NINETY-NINTH SESSION*

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THIRTY-FOURTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Monday, March 04, 2024

The House convened at 10:00 a.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 Reese Schmidt and Rebecca Bich.

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 33rd 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 The oath of office was administered by Speaker Bartels to the following named pages:

2 Rebecca Bich, Reagan Blackburn, Bennett Gordon, Ezerina Hyseni, Quinn Moon, Katelyn Ryan,  
3 Reese Schmidt, Abigail Studt, Breanna Wollman.

4 Which was subscribed to and placed on file in the office of the Secretary of State.

5 **REPORTS OF STANDING COMMITTEES**

6 MR. SPEAKER:

7 The Committee on Legislative Procedure respectfully reports that **HB 1060, 1098, 1118,**  
8 **1131, and 1211** were delivered to her Excellency, the Governor, for her approval at 8:19 a.m.,  
9 March 4, 2024.

10 Respectfully submitted,  
11 Hugh M. Bartels, Chair

12 MR. SPEAKER:

13 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and  
14 Enrolling has carefully compared **HB 1065, 1130, 1178, 1224, and 1225** and finds the same  
15 correctly enrolled.

16 Respectfully submitted,  
17 Hugh M. Bartels, Chair

18 **MESSAGES FROM THE SENATE**

19 MR. SPEAKER:

20 I have the honor to return herewith **HB 1065 and 1224** which have passed the Senate without  
21 change.

22 Also MR. SPEAKER:

23 I have the honor to inform your honorable body that the Senate has failed to concur in House  
24 amendments to **SB 201** and will appoint a committee of three on the part of the Senate to meet  
25 with a like committee on the part of the House to adjust the differences between the two houses.

26 Respectfully,  
27 Peggy Laurenz, Secretary

28 **MOTIONS AND RESOLUTIONS**

29 Rep. Mortenson moved that the House do concur in Senate amendments to **HB 1057**.

30 The question being on Rep. Mortenson's motion that the House do concur in Senate  
31 amendments to **HB 1057**.

1 And the roll being called:

2 Yeas 63, Nays 4, Excused 1, Absent 2

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

10 Nays: Jensen (Kevin), Jensen (Phil), Lems, and Mulally

11 Excused: Pourier

12 Absent: Peterson (Sue) and Randolph

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

15 Speaker Pro Tempore Stevens now presiding.

16 Rep. Bartels moved that the House do not concur in Senate amendments to **HB 1092** and that  
17 a committee of three on the part of the House be appointed to meet with a like committee on the  
18 part of the Senate to adjust the differences between the two houses.

19 Rep. Blare rose to a point of order asking for clarification on the vote.

20 And the roll being called:

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

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

29 Excused: Pourier

30 Absent: Peterson (Sue) and Randolph

31 So the motion having received an affirmative vote of a majority of the members-elect, the  
32 Speaker declared the motion prevailed and the Speaker appointed as such committee  
33 Representatives Bartels (Chair), Drury, and Fitzgerald.

34 Speaker Bartels now presiding.

35 Rep. Mortenson moved that the House do now recess until 11:00 a.m.

36 Which motion prevailed and at 10:27 a.m., the House recessed.

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**RECESS**

2

The House reconvened at 11:21 a.m., the Speaker presiding.

3

4

Rep. Mortenson moved that **SB 53 and 168** be placed to follow **SB 129**, and **SB 123** be placed to follow **SB 83** on today's calendar.

5

Which motion prevailed.

6

7

Rep. Mortenson moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on Tuesday, March 5, the 35<sup>th</sup> legislative day.

8

Which motion prevailed.

9

10

There being no objection, the House reverted to Order of Business No. 7 - Messages from the Senate.

11

**MESSAGES FROM THE SENATE**

12

MR. SPEAKER:

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I have the honor to inform your honorable body that the Senate has failed to concur in House amendments to **SB 201** and has appointed Senators Crabtree, Wheeler, and Johnson as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses.

17

18

Respectfully,  
Peggy Laurenz, Secretary

19

20

21

The Speaker appointed Representatives Mortenson (Chair), Lesmeister, and Moore as a committee of three on the part of the House to meet with a like committee on the part of the Senate to adjust the differences between the two houses on **SB 201**.

22

23

There being no objection, the House proceeded to Order of Business No. 12 - Second Reading of Consent Calendar Items.

24

**SECOND READING OF CONSENT CALENDAR ITEMS**

25

26

**SB 124:** FOR AN ACT ENTITLED, An Act to revise the eligibility of roads for the rural access infrastructure fund.

27

Was read the second time.

28

The question being "Shall **SB 124** pass?"

29

And the roll being called:

30

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, Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Otten  
5 (Ernie), Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, 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: Pourier

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

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

14 Was read the second time.

15 The question being "Shall **SB 45** pass as amended?"

16 And the roll being called:

17 Yeas 65, Nays 4, 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, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,  
21 Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulder, Nelson, Odenbach, Otten (Ernie),  
22 Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Rehfeldt, Reimer, Reisch, Sauder,  
23 Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness,  
24 Weisgram, Wittman, and Speaker Bartels

25 Nays: Aylward, Mulally, Randolph, and Schaeffbauer

26 Excused: Pourier

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 Speaker Pro Tempore Stevens now presiding.

30 **SB 73:** FOR AN ACT ENTITLED, An Act to provide that the presiding officer of the Senate is  
31 required to sign each enrolled bill.

32 Was read the second time.

33 The question being "Shall **SB 73** pass?"

34 And the roll being called:

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

1 Yeas: Callies, Chase, Duffy, Emery, Gross, Mortenson, Rehfeldt, Stevens, Venhuizen, and  
2 Wittman

3 Nays: Arlint, Auch, Aylward, Bahmuller, Blare, Cammack, Chaffee, Conzet, DeGroot, Derby,  
4 Deutsch, Donnell, Drury, Duba, Fitzgerald, Hansen, Healy, Heermann, Jamison, Jensen (Kevin),  
5 Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems, Lesmeister, Massie, May, Mills,  
6 Moore, Mulally, Mulder, Nelson, Odenbach, Otten (Ernie), Overweg, Perry, Peterson (Drew),  
7 Peterson (Sue), Pinnow, Randolph, Reimer, Reisch, Sauder, Schaefbauer, Schneider, Shorma,  
8 Sjaarda, Soye, St. John, Teunissen, Tordsen, Wangsness, Weisgram, and Speaker Bartels

9 Excused: Pourier

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

12 Speaker Bartels now presiding.

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

15 Was read the second time.

16 The question being "Shall **SB 83** pass as amended?"

17 And the roll being called:

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

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

26 Nays: Bahmuller, May, Mills, and Soye

27 Excused: Pourier

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 123:** FOR AN ACT ENTITLED, An Act to revise provisions pertaining to voter registration  
31 requirements and the state board of elections.

32 Was read the second time.

33 Rep. Rehfeldt moved that **SB 123** be laid on the table.

34 The question being on Rep. Rehfeldt's motion that **SB 123** be laid on the table.

35 And the roll being called:

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

1 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chase, Conzet, DeGroot,  
2 Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, 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, Otten (Ernie),  
5 Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Randolph, Rehfeldt, Reimer, Reisch,  
6 Sauder, Schaeffbauer, Schneider, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen,  
7 Wangsness, Weisgram, Wittman, and Speaker Bartels

8 Nays: Chaffee, Mulally, and Shorma

9 Excused: Pourier

10 So the motion having received an affirmative vote of a majority of the members-elect, the  
11 Speaker declared the motion carried and **SB 123** was tabled.

12 Rep. Mortenson moved that the House do now recess until 2:30 p.m.

13 Which motion prevailed and at 11:42 a.m., the House recessed.

14 **RECESS**

15 The House reconvened at 2:51 p.m., the Speaker presiding.

16 There being no objection, the House reverted to Order of Business No. 4 - Communications  
17 and Petitions.

18 **COMMUNICATIONS AND PETITIONS**

19 March 4, 2024

20 Mr. Speaker and Members of the House of Representatives:

21 I have the honor to inform you that on March 4, 2024, I approved House Bills 1119 and 1231,  
22 and the same have been deposited in the office of the Secretary of State.

23 Respectfully submitted,  
24 Kristi Noem  
25 Governor

26 **REPORTS OF STANDING COMMITTEES**

27 MR. SPEAKER:

28 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and  
29 Enrolling has carefully compared **HB 1039, 1057, and 1233** and finds the same correctly enrolled.

30 Respectfully submitted,  
31 Hugh M. Bartels, Chair

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**MESSAGES FROM THE SENATE**

2

MR. SPEAKER:

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I have the honor to inform your honorable body that the Senate has concurred in House amendments to **SB 208**.

4

5

Respectfully,

6

Peggy Laurenz, Secretary

7

**MOTIONS AND RESOLUTIONS**

8

Rep. Mortenson moved that **SB 128 and 129** be placed at the bottom of today's calendar.

9

Which motion prevailed.

10

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

11

**SB 177:** FOR AN ACT ENTITLED, An Act to permit the appointment of a circuit court judge or Supreme Court justice as a member of the Public Utilities Commission in place of a disqualified or incapacitated commissioner.

12

13

14

Was read the second time.

15

Rep. Reimer moved that **SB 177** be amended as follows:

16

177F

17

On page 1, line 17, of the Senate Commerce and Energy Engrossed bill, after "general" delete ", or a retired circuit judge or Supreme Court justice"

18

19

On page 1, line 19, of the Senate Commerce and Energy Engrossed bill, after "only" insert ". If all elected constitutional officers, other than the attorney general, have certified to the Governor that the elected constitutional officers are disqualified or otherwise decline the appointment, the Governor may appoint a retired South Dakota circuit judge or retired South Dakota Supreme Court justice to act. If a retired judge or retired supreme court justice is appointed, the judge or justice must be compensated at the rate paid by the Unified Judicial System for compensation of retired judges and justices sitting for a recused judge or justice"

20

21

22

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26

Rep. Soye requested a roll call vote.

27

Which request was supported.

28

And the roll being called:

29

Yeas 48, Nays 22, Excused 0, Absent 0

30

Yeas: Arlint, Blare, Callies, Cammack, Chaffee, Chase, Conzet, DeGroot, Derby, Deutsch, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann, Jamison, Karr, Kassin, Koth, Krull, Kull, Ladner, Lesmeister, Massie, Mortenson, Mulder, Perry, Peterson (Drew), Peterson (Sue), Rehfeldt, Reimer, Reisch, Sauder, Schneider, Shorma, Sjaarda, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, and Wittman

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1 Nays: Auch, Aylward, Bahmuller, Donnell, Jensen (Kevin), Jensen (Phil), Krohmer, Lems, May,  
2 Mills, Moore, Mulally, Nelson, Odenbach, Otten (Ernie), Overweg, Pinnow, Pourier, Randolph,  
3 Schaeftbauer, Soye, and Speaker Bartels

4 So the motion having received an affirmative vote of a majority of the members-elect, the  
5 Speaker declared the motion prevailed.

6 The question being "Shall **SB 177** pass as amended?"

7 And the roll being called:

8 Yeas 42, Nays 28, Excused 0, Absent 0

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

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

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

21 Was read the second time.

22 Rep. Venhuizen moved that **SB 80** be amended as follows:

23 80D

24 On page 1, line 4, of the Senate Engrossed bill, delete " \$3,000,000" and insert " \$2,000,000"

25 Which motion prevailed.

26 The question being "Shall **SB 80** pass as amended?"

27 And the roll being called:

28 Yeas 51, Nays 19, Excused 0, Absent 0

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

34 Nays: Auch, Aylward, Gross, Hansen, Jensen (Kevin), Jensen (Phil), Karr, Krohmer, Lems, May,  
35 Mills, Mulally, Odenbach, Overweg, Peterson (Sue), Randolph, Schaeftbauer, Sjaarda, and Soye

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

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

3 Was read the second time.

4 The question being "Shall **SB 209** pass?"

5 And the roll being called:

6 Yeas 59, Nays 11, Excused 0, Absent 0

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

13 Nays: Auch, Aylward, Hansen, Jensen (Phil), Lems, May, Mulally, Odenbach, Overweg,  
14 Randolph, and Schaeftbauer

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

17 **SB 217:** FOR AN ACT ENTITLED, An Act to require disclosure of certain information prior to  
18 the sale of property bound by a homeowners' association.

19 Was read the second time.

20 Rep. Duba moved that **SB 217** be amended as follows:

21 217A

22 On page 1, line 17, of the Introduced bill, after "association;" delete " and"

23 On page 1, line 19, of the Introduced bill, after "assessment" insert "; and

24 (4) A list of any special onetime assessments from the most recent three years"

25 Which motion prevailed.

26 The question being "Shall **SB 217** pass as amended?"

27 And the roll being called:

28 Yeas 64, Nays 6, Excused 0, Absent 0

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

36 Nays: Aylward, Lems, Mills, Mulally, Odenbach, and Tordsen

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

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

5 Was read the second time.

6 The question being "Shall **SB 187** pass as amended?"

7 And the roll being called:

8 Yeas 66, Nays 4, Excused 0, 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, Healy, Heermann,  
11 Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lesmeister,  
12 Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Otten (Ernie), Overweg, Perry,  
13 Peterson (Drew), Peterson (Sue), Pinnow, Pouriier, Rehfeldt, Reimer, Reisch, Sauder, Schaeftbauer,  
14 Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness,  
15 Weisgram, Wittman, and Speaker Bartels

16 Nays: Hansen, Lems, Odenbach, and Randolph

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

19 **SB 165:** FOR AN ACT ENTITLED, An Act to create the South Dakota-Ireland Trade Commission.

20 Was read the second time.

21 The question being "Shall **SB 165** pass as amended?"

22 And the roll being called:

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

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

30 Nays: Aylward, Callies, Chase, DeGroot, Jensen (Phil), Lems, Mulally, Nelson, Schneider, and  
31 Soye

32 Excused: Healy

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

37 Was read the second time.

1 Rep. Odenbach moved that **SB 134** be amended as follows:

2 134E

3 On page 1, line 4, of the Joint Appropriations Engrossed bill, delete " \$1" and insert "  
4 \$6,000,000"

5 On page 2, line 27, of the Joint Appropriations Engrossed bill, after "moneys." insert " If, during  
6 the implementation of this Act, the United States Department of the Treasury determines the  
7 program is an ineligible use of State Fiscal Recovery Fund moneys, the moneys described in section  
8 1 of this Act are thereby re-appropriated to the Board of Water and Natural Resources for providing  
9 grants, according to terms and conditions established by the board, for eligible water and  
10 wastewater projects previously awarded State Fiscal Recovery Fund moneys."

11 Which motion prevailed.

12 The question being "Shall **SB 134** pass as amended?"

13 And the roll being called:

14 Yeas 44, Nays 26, Excused 0, Absent 0

15 Yeas: Auch, Bahmuller, Blare, Cammack, Chaffee, Conzet, DeGroot, Derby, Donnell, Drury,  
16 Duffy, Fitzgerald, Hansen, Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Krull, Kull, Ladner,  
17 Lems, Massie, May, Mills, Mortenson, Mulally, Mulder, Odenbach, Overweg, Perry, Peterson (Drew),  
18 Pinnow, Pourier, Randolph, Rehfeldt, Reimer, Sauder, Schaeftbauer, Schneider, Sjaarda, Soye,  
19 Venhuizen, and Speaker Bartels

20 Nays: Arlint, Aylward, Callies, Chase, Deutsch, Duba, Emery, Gross, Healy, Heermann, Koth,  
21 Krohmer, Lesmeister, Moore, Nelson, Otten (Ernie), Peterson (Sue), Reisch, Shorma, St. John,  
22 Stevens, Teunissen, Tordsen, Wangsness, Weisgram, and Wittman

23 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
24 elect, the Speaker declared the bill lost.

25 Rep. Drury announced her intention to reconsider the vote by which **SB 134** lost.

26 Rep. Drury moved that the House do now reconsider the vote by which **SB 134** lost.

27 Rep. Mortenson rose to a point of order that Rep. Drury keep her comments to the merits of  
28 the motion to reconsider.

29 The question being on Rep. Drury's motion to reconsider the vote by which **SB 134** lost.

30 And the roll being called:

31 Yeas 46, Nays 24, Excused 0, Absent 0

32 Yeas: Auch, Aylward, Bahmuller, Cammack, Chaffee, Conzet, Derby, Donnell, Drury, Duffy,  
33 Emery, Fitzgerald, Hansen, Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Krohmer, Krull,  
34 Kull, Ladner, Lems, Massie, May, Mills, Mortenson, Mulally, Mulder, Odenbach, Overweg, Perry,  
35 Peterson (Drew), Pinnow, Pourier, Randolph, Rehfeldt, Sauder, Schaeftbauer, Schneider, Sjaarda,  
36 Soye, St. John, Venhuizen, Wittman, and Speaker Bartels

37 Nays: Arlint, Blare, Callies, Chase, DeGroot, Deutsch, Duba, Gross, Healy, Heermann, Koth,  
38 Lesmeister, Moore, Nelson, Otten (Ernie), Peterson (Sue), Reimer, Reisch, Shorma, Stevens,  
39 Teunissen, Tordsen, Wangsness, and Weisgram

40 So the motion having received an affirmative vote of a majority of the members-elect, the  
41 Speaker declared the motion carried and **SB 134** was up for reconsideration and final passage.

1 Rep. Mortenson moved that **SB 134** be placed at the bottom of today's calendar.

2 Which motion prevailed.

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

5 Was read the second time.

6 Rep. Venhuizen moved that **SB 144** be amended as follows:

7 144G

8 On page 1, line 4, of the Senate Engrossed bill, delete " \$19,500,000" and insert " \$1,903"

9 Which motion prevailed.

10 The question being "Shall **SB 144** pass as amended?"

11 And the roll being called:

12 Yeas 54, Nays 16, Excused 0, Absent 0

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

19 Nays: Auch, Aylward, Callies, Deutsch, Gross, Hansen, Jensen (Kevin), Jensen (Phil), Krohmer,  
20 Lems, May, Mills, Mulally, Overweg, Schaeffbauer, and Soye

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

23 **SB 182:** FOR AN ACT ENTITLED, An Act to repeal and revise certain provisions regarding the  
24 petition circulation process to comply with federal court decisions.

25 Was read the second time.

26 The question being "Shall **SB 182** pass?"

27 And the roll being called:

28 Yeas 70, Nays 0, Excused 0, Absent 0

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

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

3 Was read the second time.

4 Rep. Karr moved that **SB 137** be amended as follows:

5 137A

6 On page 1, line 1, of the Introduced bill, delete "make an appropriation for the health and  
7 wellbeing of South Dakotans." and insert a space

8 On page 1, line 2, after "Dakotans." insert "repeal the expiration of a reduction in certain gross  
9 receipts and use tax rates."

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

11 **"Section 1. That 2023 Session Laws, chapter 32, § 19, be REPEALED:**

12 ~~Section 19. The amendments to the Code sections in sections 1 to 17, inclusive, of this Act are~~  
13 ~~repealed on June 30, 2027, and those Code sections will revert in word and substance to that which~~  
14 ~~existed immediately prior to the effective date of this Act."~~

Rep. Mulally requested a roll call vote.

15 Which request was supported.

16 And the roll being called:

17 Yeas 63, Nays 7, Excused 0, Absent 0

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

25 Nays: DeGroot, Healy, Kull, Pourier, Schneider, Stevens, and Wittman

26 So the motion having received an affirmative vote of a majority of the members-elect, the  
27 Speaker declared the motion prevailed.

28 The question being "Shall **SB 137** pass as amended?"

29 And the roll being called:

30 Yeas 62, Nays 8, Excused 0, Absent 0

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

38 Nays: DeGroot, Duba, Healy, Kull, Pourier, Schneider, Stevens, and Wittman

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

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

5 Was read the second time.

6 Rep. Venhuizen moved that **SB 138** be amended as follows:

7 138A

8 On page 1, line 3, of the Introduced bill, delete " \$1" and insert " \$1,889"

9 Which motion prevailed.

10 The question being "Shall **SB 138** pass as amended?"

11 And the roll being called:

12 Yeas 59, Nays 11, Excused 0, Absent 0

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

19 Nays: Auch, Aylward, Hansen, Jensen (Phil), Lems, Mulally, Nelson, Odenbach, Pourier,  
20 Randolph, and Soye

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

23 **SB 191:** FOR AN ACT ENTITLED, An Act to restrict the use of medical cannabis for individuals  
24 on probation or conditional release.

25 Was read the second time.

26 The question being "Shall **SB 191** pass as amended?"

27 And the roll being called:

28 Yeas 63, Nays 7, Excused 0, Absent 0

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

36 Nays: Chase, Duba, Emery, Healy, Lesmeister, Nelson, and Pourier

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

3 Speaker Pro Tempore Stevens now presiding.

4 **SB 146:** FOR AN ACT ENTITLED, An Act to revise and repeal provisions related to threatening  
5 elected officers and to provide a penalty therefor.

6 Was read the second time.

7 Rep. Heermann moved that **SB 146** be amended as follows:

8 146F

9 On page 1, line 1, of the House Judiciary Engrossed bill, after "threatening" insert " persons  
10 holding statewide office, judicial officers, and"

11 On page 1, after line 3, of the House Judiciary Engrossed bill, insert: "

12 **Section 1. That a NEW SECTION be added to chapter 22-11:**

13 It is a Class 5 felony for a person to knowingly and intentionally communicate any written or  
14 electronic threat to take the life of or to inflict serious bodily harm upon:

15 (1) Any current or former judicial officer as defined in § 22-11-14;

16 (2) Any current or former person holding statewide office as defined in § 12-27-1; or

17 (3) The immediate family of any current or former judicial officer or person holding statewide  
18 office.

19 If a threat constitutes a violation of § 22-18-1.1 the provisions of this section are superseded  
20 and the penalties provided in § 22-18-1.1 apply."

21 On page 1, line 10, of the House Judiciary Engrossed bill, delete "(1) Any current or former  
22 person holding statewide office as defined in § 12-27-1;

23 (2) Any current or former judicial officer as defined in § 22-11-14;

24 (3)" and insert "(1)"

25 On page 1, line 13, of the House Judiciary Engrossed bill, delete "(4)" and insert "(2)"

26 On page 1, line 14, of the House Judiciary Engrossed bill, delete "(5)" and insert "(3)"

27 On page 1, line 15, of the House Judiciary Engrossed bill, delete "(6)" and insert "(4)"

28 On page 1, line 17, of the House Judiciary Engrossed bill, after "office." delete "A second or  
29 subsequent violation of this section is a Class 6 felony. "

30 Which motion prevailed.

31 The question being "Shall **SB 146** pass as amended?"

32 And the roll being called:

33 Yeas 36, Nays 33, Excused 1, Absent 0

1 Yeas: Arlint, Callies, Cammack, Chase, Conzet, DeGroot, Derby, Drury, Duba, Duffy, Emery,  
2 Fitzgerald, Heermann, Jamison, Kassin, Koth, Krull, Kull, Ladner, Lesmeister, Massie, Mortenson,  
3 Peterson (Drew), Rehfeldt, Reisch, Sauder, Schneider, Shorma, St. John, Stevens, Teunissen,  
4 Tordsen, Venhuizen, Wangsness, Weisgram, and Speaker Bartels

5 Nays: Auch, Aylward, Bahmuller, Blare, Chaffee, Deutsch, Donnell, Gross, Hansen, Jensen  
6 (Kevin), Jensen (Phil), Karr, Krohmer, Lems, May, Mills, Moore, Mulally, Mulder, Nelson, Odenbach,  
7 Otten (Ernie), Overweg, Perry, Peterson (Sue), Pinnow, Pourier, Randolph, Reimer, Schaeftbauer,  
8 Sjaarda, Soye, and Wittman

9 Excused: Healy

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 There being no objection, the House reverted to Order of Business No. 8 - Motions  
13 and Resolutions.

#### 14 **MOTIONS AND RESOLUTIONS**

15 Rep. Mortenson moved that **SB 53** be placed at the bottom of today's calendar.

16 Which motion prevailed.

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

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

19 Was read the second time.

20 The question being "Shall **SB 168** pass as amended?"

21 And the roll being called:

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

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

30 Nays: Gross, Jensen (Phil), Lems, Mills, Mulally, and Randolph

31 Excused: Healy

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

1 **SB 128:** FOR AN ACT ENTITLED, An Act to improve public safety in South Dakota.

2 Was read the second time.

3 Rep. Rehfeldt moved that **SB 128** be laid on the table.

4 The question being on Rep. Rehfeldt's motion that **SB 128** be laid on the table.

5 And the roll being called:

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

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

14 Nays: Tordsen

15 Excused: Healy

16 So the motion having received an affirmative vote of a majority of the members-elect, the  
17 Speaker declared the motion carried and **SB 128** was tabled.

18 **SB 129:** FOR AN ACT ENTITLED, An Act to improve the workforce of South Dakota.

19 Was read the second time.

20 Rep. Rehfeldt moved that **SB 129** be laid on the table.

21 The question being on Rep. Rehfeldt's motion that **SB 129** be laid on the table.

22 And the roll being called:

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

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

31 Nays: Krohmer and Mulder

32 Excused: Healy

33 So the motion having received an affirmative vote of a majority of the members-elect, the  
34 Speaker declared the motion carried and **SB 129** was tabled.

- 1 **SB 134:** FOR AN ACT ENTITLED, An Act to make an appropriation to create the healthy forest  
2 critical infrastructure relief and grant program and to declare an emergency.
- 3 Having had its second reading was up for reconsideration and final passage.
- 4 The question being "Shall **SB 134** pass as amended?"
- 5 And the roll being called:
- 6 Yeas 41, Nays 29, Excused 0, Absent 0
- 7 Yeas: Auch, Bahmuller, Cammack, Chaffee, Derby, Drury, Duffy, Fitzgerald, Hansen, Healy,  
8 Heermann, Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Krull, Kull, Ladner, Lems,  
9 Lesmeister, Massie, May, Mills, Mortenson, Mulally, Mulder, Odenbach, Overweg, Peterson (Drew),  
10 Randolph, Rehfeldt, Sauder, Schaeffbauer, Schneider, Sjaarda, Soye, St. John, Venhuizen, Wittman,  
11 and Speaker Bartels
- 12 Nays: Arlint, Aylward, Blare, Callies, Chase, Conzet, DeGroot, Deutsch, Donnell, Duba, Emery,  
13 Gross, Koth, Krohmer, Moore, Nelson, Otten (Ernie), Perry, Peterson (Sue), Pinnow, Pourier, Reimer,  
14 Reisch, Shorma, Stevens, Teunissen, Tordsen, Wangsness, and Weisgram
- 15 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
16 elect, the Speaker declared the bill lost.
- 17 **SB 53:** FOR AN ACT ENTITLED, An Act to make an appropriation for eligible water and  
18 wastewater projects and to declare an emergency.
- 19 Was read the second time.
- 20 The question being "Shall **SB 53** pass as amended?"
- 21 And the roll being called:
- 22 Yeas 69, Nays 1, Excused 0, Absent 0
- 23 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, Conzet,  
24 DeGroot, Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy,  
25 Heermann, Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner,  
26 Lems, Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Otten (Ernie),  
27 Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Pourier, Randolph, Rehfeldt, Reimer,  
28 Reisch, Sauder, Schaeffbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen,  
29 Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels
- 30 Nays: Odenbach
- 31 So the bill having received an affirmative vote of a two-thirds majority of the members-elect,  
32 the Speaker declared the bill passed and the title was agreed to.
- 33 Speaker Bartels now presiding.
- 34 There being no objection, the House reverted to Order of Business No. 7 - Messages from  
35 the Senate.

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**MESSAGES FROM THE SENATE**

2 MR. SPEAKER:

3 I have the honor to inform your honorable body that **HB 1048, 1141, 1142, 1143, and 1156**  
4 were tabled.

5

6

Respectfully,  
Peggy Laurenz, Secretary

7

**SIGNING OF BILLS**

8 The Speaker publicly read the title to

9 **HB 1039:** FOR AN ACT ENTITLED, An Act to provide for the payment of legal expenses  
10 originating from crime committed at a facility maintained by the Department of Corrections.

11 **HB 1057:** FOR AN ACT ENTITLED, An Act to create the Commission on Indigent Legal Services  
12 and Office of Indigent Legal Services, to make an appropriation for reimbursing county indigent legal  
13 services, and to declare an emergency.

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

16 **HB 1130:** FOR AN ACT ENTITLED, An Act to revise water development district boundaries.

17 **HB 1178:** FOR AN ACT ENTITLED, An Act to prohibit the Board of Regents or any institution  
18 under its control from using state resources for obscene live conduct.

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

22 **HB 1225:** FOR AN ACT ENTITLED, An Act to define a multi-passenger quadricycle and to  
23 provide for the regulation of multi-passenger quadricycles.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 **COMMEMORATIONS**

21 **SC 817:** A LEGISLATIVE COMMEMORATION, Honoring the 2023-2024 Canton C-Hawk girls  
22 wrestling team for its outstanding accomplishments.

23 **SC 818:** A LEGISLATIVE COMMEMORATION, Honoring the 2023-2024 Canton C-Hawks boys  
24 wrestling team for its outstanding accomplishments.

25 Rep. Drury moved that the House do now adjourn, which motion prevailed and at 5:40 p.m.  
26 the House adjourned.

27 Patricia Miller, Chief Clerk

