

JOURNAL OF THE HOUSE

ONE HUNDREDTH SESSION

SECOND DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, January 15, 2025

The House convened at 9:30 a.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 page Brayden Bahmuller.

Roll Call: All members present except Reps. Gosch, Vasgaard, and Weems who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Secretary of the House has had under consideration the House Journal of the 1st day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Jon Hansen, Chair

Which motion prevailed.

1 The oath of office was administered by the Honorable Patricia J. DeVaney, Justice of the
 2 Supreme Court of the state of South Dakota, to Representative Peri Pourier at 1:15 p.m. on Tuesday,
 3 January 14, 2025.

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

6 **COMMUNICATIONS AND PETITIONS**

7 MR. SPEAKER:

8 Your Joint-Select Committee appointed to make arrangements for a Memorial Service for
 9 deceased former members of the South Dakota House of Representatives and Senate respectfully
 10 reports that they recommend that the House of Representatives and Senate recess and convene in
 11 the House Chamber at 3:00 p.m. on January 23, 2025, and that a Joint Memorial Resolution be
 12 introduced in their memory by their colleagues in the House of Representatives and Senate.

13 A short program will follow the introduction of the Memorial Resolution. At the conclusion of
 14 the Memorial Service, the Joint Session will be dissolved.

15 The Memorial Resolution shall be printed in the House and Senate Journals.

16 Respectfully submitted,
 17 Brandei Schaeftbauer (Chair)
 18 Erin Healy
 19 Scott Odenbach
 20 Tony Randolph
 21 Mike Stevens
 22 House Committee

Respectfully submitted,
 Carl Perry (Chair)
 Chris Karr
 Jim Mehlhaff
 Jamie Smith
 Larry P. Zikmund
 Senate Committee

23 **MESSAGES FROM THE SENATE**

24 MR. SPEAKER:

25 I have the honor to inform your honorable body that the Senate has appointed Sens. Perry
 26 (Chair), Karr, Mehlhaff, Smith, and Zikmund as a committee of five on the part of the Senate to
 27 meet with a committee of five on the part of the House for the purpose of arranging for a memorial
 28 recognition of deceased former members of the House and Senate.

29 Also MR. SPEAKER:

30 I have the honor to inform your honorable body that the Senate has approved the adoption of
 31 the permanent joint rules of the Ninety-ninth Legislative Session as the temporary joint rules for
 32 the One-hundredth Legislative Session.

33 Respectfully,
 34 Peggy Laurenz, Secretary

35 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

36 **HB 1049:** FOR AN ACT ENTITLED, An Act to update the official code of laws.

37 Introduced by: **Representative** Stevens

1 **HB 1051:** FOR AN ACT ENTITLED, An Act to update provisions on the interim legislative
2 oversight of administrative rulemaking.

3 Introduced by: The Chair of the Committee on Judiciary at the request of the Interim Rules
4 Review Committee

5 Were read the first time and referred to the Committee on Judiciary.

6 **HB 1053:** FOR AN ACT ENTITLED, An Act to require age verification by websites containing
7 material that is harmful to minors, and to provide a penalty therefor.

8 Introduced by: **Representative** Soye

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

10 **HB 1050:** FOR AN ACT ENTITLED, An Act to authorize municipalities to impose a new tax to
11 fund capital improvement projects.

12 Introduced by: **Representative** Weisgram

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

14 **HB 1052:** FOR AN ACT ENTITLED, An Act to prohibit the exercise of eminent domain for a
15 pipeline that carries carbon oxide.

16 Introduced by: **Representative** Lems

17 **HB 1054:** FOR AN ACT ENTITLED, An Act to authorize volunteer chaplains to serve in public
18 schools.

19 Introduced by: **Representative** Novstrup

20 **HB 1055:** FOR AN ACT ENTITLED, An Act to modify medical cannabis certification
21 requirements.

22 Introduced by: **Representative** Novstrup

23 Were read the first time.

24 The following bill was read on January 14, 2025, and today the Speaker assigned this bill to
25 committee:

26 **HB 1035** was referred to the Committee on Education.

27 The following bills were read on January 14, 2025, and today the Speaker assigned these bills
28 to committee:

29 **HB 1033**, and **HB 1034** were referred to the Joint Committee on Appropriations.

30 Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at
31 9:40 a.m. the House adjourned.

32 Patricia Miller, Chief Clerk

1

JOINT SESSION

2 The Senate convened with the House of Representatives in the House Chamber for the purpose
3 of receiving a message from the Chief Justice of the Supreme Court, Steven R. Jensen. The President
4 of the Senate, Larry Rhoden, presided.

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

7 *Micah 6:8—"He has told you, O mortal, what is good; and what does the Lord require of you*
8 *but to do justice, and to love kindness, and to walk humbly with your God? (NRSV)*

9 Merciful God, help us to come before you this day with humble hearts, seeking mercy. Each
10 day should begin with a tone of humility—each morning is a gift, in which breath has entered our
11 lungs and our eyes have been opened once again. This gift is mercy in and of itself. Your justice
12 upon us has been turned on its head due to your accomplished promises through our Lord and
13 Savior, Jesus Christ. Because of our rebellious hearts, we deserve your justice—rather; we deserve
14 your judgment. However, through your love—your desire for a new creation and redemption, your
15 justice has come though, and you have declared us, "**Not guilty...**" thanks to Christ's death and
16 resurrection.

17 As we face moments in life—as our justice system, from the highest courts to the officers on
18 patrol in the streets, face these moments in life in which they come face-to-face with people at the
19 worst moments of their lives, help these servants of the law face the vulnerable with love, kindness,
20 humility, and faithfulness. We pray for their protection on the roads and in the alleyways—we pray
21 for the strength and courage of justice to prevail. We pray for truth, wisdom, and discernment in
22 the court rooms—may our judges judge with fairness and divine prudence. We pray for care,
23 repentance, and renewal behind bars, within our institutions of correction. We pray for the chaplains
24 to give the Gospel, when some have only ever known the law. We pray for love and forgiveness,
25 even when our hearts may be hardened and the devil whispers words of vitriol and spite.

26 You, Almighty God, are a righteous God—filled with everlasting truth, mercy, and grace. Help
27 us to live our lives into the light of grace you have called us to stand within. Shine your light into
28 our darkness, and never let the darkness overcome it. In your Holiest name we pray. Amen.

29 The Secretary of the Senate, Peggy Laurenz, called the roll of the Senate and the following
30 members were present:

31 Beal, Blanc, Carley, Davis, Deibert, Duhamel, Foster, Grove, Hohn, Howard, Hulse, Jensen
32 (Kevin), Kolbeck, Lapka, Larson, Marty, Mehlhaff, Miskimins, Nelson, Otten (Ernie), Perry, Peterson
33 (Sue), Pischke, Reed, Rohl, Sauder, Schoenfish, Smith, Vilhauer, Voight, Voita, Wheeler, and
34 Zikmund

35 The Chief Clerk of the House of Representatives, Patricia Miller, called the roll of the House and
36 the following members were present:

37 Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, DeGroot, Derby, Duffy, Emery,
38 Fitzgerald, Garcia, Goodwin, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt,
39 Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kull, Ladner, Lems, Manhart,
40 Massie, May, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg,
41 Peterson (Drew), Pourier, Randolph, Reder, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaeftbauer,
42 Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Venhuizen, Walburg,
43 Weisgram, Wittman, and Speaker Hansen

44 Sen. Mehlhaff moved that a committee of seven on the part of the Senate and a committee of
45 seven on the part of the House be appointed to escort Chief Justice Steven R. Jensen to the rostrum.

1 Which motion prevailed and the President announced as such committee Sens. Karr, Mehlhaff,
2 Perry, Larson, Smith, Wheeler, and Hulse on the part of the Senate and Reps. Lems, Odenbach,
3 Overweg, Healy, Emery, Stevens, and Soye on the part of the House.

4 The Lieutenant Governor, Larry Rhoden, introduced the Honorable Steven R. Jensen, to deliver
5 the State of the Judiciary Address.

6 The Sergeant at Arms announced the arrival of Chief Justice Steven R. Jensen who was escorted
7 to the rostrum.

8 Sen. Mehlhaff moved that the Joint Session do now recess until 1:00 p.m.

9 Which motion prevailed, and at 10:55 a.m. the Joint Session recessed.

10 **RECESS**

11 The Joint Session reconvened at 1:00 p.m., the President presiding.

12 **JOINT SESSION**

13 The Senate reconvened with the House of Representatives in the House Chamber for the
14 purpose of receiving a message on the State of the Tribes from the Honorable J. Garrett Renville,
15 Chairman, Sisseton Wahpeton Oyate Tribe. The President of the Senate, Larry Rhoden, presided.

16 Sen. Mehlhaff moved that a committee of seven on the part of the Senate and a committee of
17 seven on the part of the House be appointed to escort Chairman J. Garrett Renville to the rostrum.

18 Which motion prevailed and the President announced as such committee Sens. Karr, Mehlhaff,
19 Perry, Larson, Smith, Rohl, and Foster on the part of the Senate and Reps. Lems, Odenbach,
20 Overweg, Mortenson, Healy, Emery, and Pourier on the part of the House.

21 The Lieutenant Governor, Larry Rhoden, introduced the Honorable J. Garrett Renville, who
22 delivered the State of the Tribes Address.

23 Sen. Mehlhaff moved that the Joint Session do now dissolve.

24 Which motion prevailed.

