

JOURNAL OF THE HOUSE

ONE HUNDREDTH SESSION

FIFTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, January 21, 2025

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

The prayer was offered by the Chaplain, Rev. Mercy Hobbs, followed by the Pledge of Allegiance led by House page Brooke Endorf.

Roll Call: All members present except Reps. May, Rehfeldt, and Reimer 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 4th 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

REPORTS OF STANDING COMMITTEES

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MR. SPEAKER:

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The Committee on House Agriculture and Natural Resources respectfully reports that it has had under consideration **HB 1022** 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,
Spencer Gosch, Vice-Chair

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MR. SPEAKER:

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The Committee on House Health and Human Services respectfully reports that it has had under consideration **HB 1014 and 1056** and returns the same with the recommendation that said bills do pass.

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Respectfully submitted,
Brian Mulder, Chair

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MESSAGES FROM THE SENATE

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MR. SPEAKER:

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I have the honor to transmit herewith **SB 30** which has passed the Senate and your favorable consideration is respectfully requested.

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MR. SPEAKER:

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I have the honor to inform your honorable body that the Senate has adopted the report of the Joint Committee on Legislative Procedures relative to the joint rules for the two houses for the One-hundredth Legislative Session.

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Respectfully,
Peggy Laurenz, Secretary

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CONSIDERATION OF REPORTS OF COMMITTEES

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Rep. Odenbach moved that the report of the Standing Committee on

26

State Affairs on **HJR 5003** as found on page 36 of the House Journal be adopted.

27

Which motion prevailed and the report was adopted.

1

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

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The Speaker declared that **HB 1009** changed prime sponsor from Representative Baxter to Representative Jordan at their request.

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HB 1079: FOR AN ACT ENTITLED, An Act to increase the number of off-sale licenses from two to three in municipalities of one thousand or less.

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Introduced by: **Representative** Kull

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Was read the first time and referred to the Committee on Commerce and Energy.

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HB 1074: FOR AN ACT ENTITLED, An Act to modify the individuals eligible to sign an affidavit of homelessness for purposes of obtaining a free copy of a birth certificate.

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Introduced by: **Representative** Muckey

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HB 1075: FOR AN ACT ENTITLED, An Act to modify the persons eligible to sign an affidavit for proof of homelessness for purposes of waiving the fee for a nondriver identification card.

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Introduced by: **Representative** Muckey

14

HB 1077: FOR AN ACT ENTITLED, An Act to provide for the inclusion of education regarding mental health in the South Dakota health education standards.

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Introduced by: **Representative** Garcia

17

Were read the first time and referred to the Committee on Education.

18

HB 1071: FOR AN ACT ENTITLED, An Act to modify practice criteria for physician assistants.

19

Introduced by: **Representative** Mulder

20

HB 1078: FOR AN ACT ENTITLED, An Act to establish provisions related to the disclosure of COVID-19 vaccination status and blood donations.

21

22

Introduced by: **Representative** Garcia

23

Were read the first time and referred to the Committee on Health and Human Services.

24

HB 1080: FOR AN ACT ENTITLED, An Act to void covenants that prohibit or restrict the possession or use of firearms and ammunition.

25

26

Introduced by: **Representative** Peterson (Drew)

27

Was read the first time and referred to the Committee on Judiciary.

28

HB 1072: FOR AN ACT ENTITLED, An Act to modernize provisions relating to water development districts.

29

30

Introduced by: **Representative** Wittman

31

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

1 **HB 1076:** FOR AN ACT ENTITLED, An Act to modify provisions pertaining to unethical conduct
 2 and improper collection of fees relating to assistance or referrals in a veterans benefits matter.

3 Introduced by: **Representative** Reder

4 Was read the first time and referred to the Committee on Military and Veterans Affairs.

5 **HB 1073:** FOR AN ACT ENTITLED, An Act to allow an individual registering as a voter to
 6 designate optional contact information as not for public inspection.

7 Introduced by: **Representative** Weisgram

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

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

11 **HB 1019** was referred to the Committee on State Affairs.

12 The following bill was read on January 17, 2025, and today the Speaker assigned this bill to
 13 committee:

14 **HB 1070** was referred to the Committee on Commerce and Energy.

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

16 **SB 30:** FOR AN ACT ENTITLED, An Act to remove outdated provisions within the insurance
 17 code.

18 Was read the first time and referred to the Committee on Commerce and Energy.

19 **SECOND READING OF CONSENT CALENDAR ITEMS**

20 **HB 1001:** FOR AN ACT ENTITLED, An Act to update a reference to the Internal Revenue Code
 21 for purposes of higher education savings plans.

22 Was read the second time.

23 The question being "Shall **HB 1001** pass?"

24 And the roll being called:

25 Yeas 66, Nays 0, Excused 3, Absent 0

26 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, DeGroot, Derby, Duffy,
 27 Emery, Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann,
 28 Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kull, Ladner,
 29 Lems, Manhart, Massie, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz, Novstrup, Odenbach,
 30 Overweg, Peterson (Drew), Pourier, Randolph, Reder, Reisch, Rice, Roby, Roe, Schaeffbauer,
 31 Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Venhuizen, Walburg,
 32 Weems, Weisgram, Wittman, and Speaker Hansen

1 Excused: May, Rehfeldt, and Reimer

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

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

5 **HB 1002:**FOR AN ACT ENTITLED, An Act to to require that all certified educators to take a
6 course in South Dakota Indian Studies.

7 Was read the second time.

8 The question being "Shall **HB 1002** pass?"

9 And the roll being called:

10 Yeas 54, Nays 12, Excused 3, Absent 0

11 Yeas: Andera, Arlint, Bahmuller, Bathke, DeGroot, Derby, Duffy, Emery, Fitzgerald, Garcia,
12 Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Jamison,
13 Jorgenson, Kasson, Kayser, Kull, Ladner, Massie, Moore, Mortenson, Muckey, Mulder, Nolz, Novstrup,
14 Odenbach, Overweg, Peterson (Drew), Pourier, Reisch, Rice, Roby, Roe, Schaeffbauer, Schwans,
15 Shorma, Soye, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Venhuizen, Walburg, Weems, Weisgram,
16 Wittman, and Speaker Hansen

17 Nays: Auch, Aylward, Baxter, Ismay, Jensen (Phil), Jordan, Lems, Manhart, Mulally, Randolph,
18 Reder, and Sjaarda

19 Excused: May, Rehfeldt, and Reimer

20 So the motion having received an affirmative vote of a majority of the members-elect, the
21 Speaker declared the motion passed.

22 **HB 1003:**FOR AN ACT ENTITLED, An Act to amend definitions pertaining to the school funding
23 formula.

24 Was read the second time.

25 The question being "Shall **HB 1003** pass?"

26 And the roll being called:

27 Yeas 59, Nays 7, Excused 3, Absent 0

28 Yeas: Andera, Arlint, Auch, Bahmuller, Bathke, Baxter, DeGroot, Derby, Duffy, Emery,
29 Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes,
30 Hunt, Jamison, Jensen (Phil), Jorgenson, Kasson, Kayser, Kull, Ladner, Lems, Massie, Moore,
31 Mortenson, Muckey, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Reisch,
32 Rice, Roby, Roe, Schaeffbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen,
33 Vasgaard, Venhuizen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

34 Nays: Aylward, Ismay, Jordan, Manhart, Mulally, Randolph, and Reder

35 Excused: May, Rehfeldt, and Reimer

1 So the motion having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the motion passed.

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

5 Was read the second time.

6 Rep. Bathke moved that **HB 1053** be amended as follows:

7 1053B

8 On page 3, line 13, of the Introduced bill, after "card" delete ";(b) A military identification card"

9 On page 3, line 15, of the Introduced bill, delete "(c)" and insert "(b)"

10 On page 3, line 16, of the Introduced bill, delete "(d)" and insert "(c)"

11 On page 3, line 18, of the Introduced bill, delete "(e)" and insert "(d)"

12 Which motion prevailed.

13 The question being "Shall **HB 1053** pass as amended?"

14 And the roll being called:

15 Yeas 61, Nays 5, Excused 3, Absent 0

16 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, DeGroot, Derby, Duffy,
17 Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Heermann, Heinemann, Hughes, Hunt,
18 Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kull, Ladner, Lems, Manhart,
19 Massie, Moore, Mortenson, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew),
20 Poirier, Randolph, Reder, Reisch, Rice, Roby, Roe, Schaefbauer, Schwans, Shorma, Sjaarda, Soye,
21 Stevens, Van Diepen, Vasgaard, Venhuizen, Walburg, Weems, Weisgram, and Speaker Hansen

22 Nays: Emery, Healy, Muckey, Uhre-Balk, and Wittman

23 Excused: May, Rehfeldt, and Reimer

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

26 **HJR 5001**:A JOINT RESOLUTION, Proposing and submitting to the voters at the next general
27 election an amendment to the Constitution of the State of South Dakota, conditioning the
28 requirement of expanded Medicaid on the level of federal medical assistance.

29 Was read the second time.

30 The question being "Shall **HJR 5001** pass?"

31 And the roll being called:

32 Yeas 59, Nays 7, Excused 3, Absent 0

1 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Derby, Duffy, Fitzgerald,
2 Garcia, Goodwin, Gosch, Greenfield, Halverson, Heermann, Heinemann, Hughes, Hunt, Ismay,
3 Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kull, Ladner, Lems, Manhart, Massie,
4 Moore, Mortenson, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew),
5 Randolph, Reder, Reisch, Rice, Roby, Roe, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye, Stevens,
6 Van Diepen, Vasgaard, Venhuizen, Walburg, Weems, Weisgram, and Speaker Hansen

7 Nays: DeGroot, Emery, Healy, Muckey, Pourier, Uhre-Balk, and Wittman

8 Excused: May, Rehfeldt, and Reimer

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

11 Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at
12 3:13 p.m. the House adjourned.

13 Patricia Miller, Chief Clerk

