

JOURNAL OF THE HOUSE

ONE HUNDREDTH SESSION

TWELFTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, January 30, 2025

The House convened at 1:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Jeff Lathrop, followed by the Pledge of Allegiance led by House page Emmie Huizenga.

Roll Call: All members present except Rep. Bahmuller who was 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 11th 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 Speaker Hansen to Committee Secretary Leonard Chick.

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

3 **REPORTS OF STANDING COMMITTEES**

4 MR. SPEAKER:

5 The Committee on House Health and Human Services respectfully reports that it has had under
6 consideration **HB 1015** and returns the same with the recommendation that said bill do pass.

7 Also MR. SPEAKER:

8 The Committee on House Health and Human Services respectfully reports that it has had under
9 consideration **HB 1061** and returns the same with the recommendation that said bill be amended
10 as follows:

11 1061A

12 On page 1, line 6, of the Introduced bill, delete "Unless a minor has lawfully obtained a health
13 care service without the consent or notification of a parent or guardian, a " and insert "A "

14 On page 1, line 7, of the Introduced bill, after "a" delete " minor's"

15 On page 1, line 8, of the Introduced bill, after "guardian" insert " who has authority to make
16 health care decisions on behalf of a minor"

17 On page 1, line 14, of the Introduced bill, after "unenforceable." insert "

18 This section does not apply to a minor who has lawfully obtained a health care service without
19 the consent or notification of a parent or guardian, or as provided in 45 C. F. R. § 164. 502(g)(5)
20 (January 1, 2025)."

21 And that as so amended, **HB 1061** do pass.

22 Also MR. SPEAKER:

23 The Committee on House Health and Human Services respectfully reports that it has had under
24 consideration **HB 1078** which was deferred to the 41st Legislative Day.

25 Respectfully submitted,
26 Brian Mulder, Chair

27 MR. SPEAKER:

28 The Committee on House Transportation respectfully reports that it has had under
29 consideration **SB 2 and 40** and returns the same with the recommendation that said bills do pass.

30 Also MR. SPEAKER:

31 The Committee on House Transportation respectfully reports that it has had under
32 consideration **SB 1 and 39** and returns the same with the recommendation that said bills do pass,
33 and having been certified as uncontested, be placed on the consent calendar.

34 Respectfully submitted,
35 Tony Randolph, Chair

1 MR. SPEAKER:

2 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
3 under consideration **HB 1021** which was deferred to the 41st Legislative Day.

4 Also MR. SPEAKER:

5 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
6 under consideration **SB 41** and returns the same with the recommendation that said bill do pass,
7 and having been certified as uncontested, be placed on the consent calendar.

8 Respectfully submitted,
9 Marty Overweg, Chair

10 MR. SPEAKER:

11 The Joint Committee on Appropriations respectfully reports that it has had under consideration
12 **HB 1047** and returns the same with the recommendation that said bill be amended as follows:

13 1047A

14 On page 1, line 9, of the Introduced bill, delete " \$489,047" and insert " \$402,500"

15 And that as so amended, **HB 1047** do pass.

16 Respectfully submitted, Respectfully submitted,
17 Ernie Otten, Co-Chair Mike Derby, Co-Chair

18 MR. SPEAKER:

19 The Committee on House Local Government respectfully reports that it has had under
20 consideration **HB 1087** which was deferred to the 41st Legislative Day.

21 Also MR. SPEAKER:

22 The Committee on House Local Government respectfully reports that it has had under
23 consideration **SB 13** and returns the same with the recommendation that said bill do pass, and
24 having been certified as uncontested, be placed on the consent calendar.

25 Also MR. SPEAKER:

26 The Committee on House Local Government respectfully reports that it has had under
27 consideration **SB 7 and 74** and returns the same with the recommendation that said bills do pass.

28 Respectfully submitted,
29 Greg Jamison, Chair

1

MESSAGES FROM THE SENATE

2 MR. SPEAKER:

3 I have the honor to transmit herewith **SB 34, 78, and 79** which have passed the Senate and
4 your favorable consideration is respectfully requested.

5
6

Respectfully,
Peggy Laurenz, Secretary

7

MOTIONS AND RESOLUTIONS

8 **HCR 6002:** A CONCURRENT RESOLUTION, Urging the United States Congress and the
9 President of the United States to remove the requirement of a project labor agreement for federal
10 construction projects.

11 Introduced by: **Representative** Jorgenson

12 **HCR 6003:** A CONCURRENT RESOLUTION, To provide for an interim study regarding property
13 tax reduction and preservation of the American dream to own a home.

14 Introduced by: **Representative** Hansen

15 **HCR 6004:** A CONCURRENT RESOLUTION, Affirming the state's rejection of carbon dioxide
16 pipelines and urging President Donald Trump to avoid interfering with the Summit Carbon Solutions
17 carbon dioxide pipeline through exercise of federal eminent domain powers.

18 Introduced by: **Representative** Mulally

19 **HCR 6005:** A CONCURRENT RESOLUTION, Encouraging the board of each school district in
20 this state to develop and implement a policy that limits the use of cellular telephones and other
21 electronic communication devices during instructional time.

22 Introduced by: **Representative** Rice

23 Were read the first time.

24 **HR 7001:** A RESOLUTION, Confirming Tonnis H. Venhuizen, Lincoln County, South Dakota, as
25 lieutenant governor of South Dakota pursuant to S.D. Const., Art. IV, § 6.

26 Was read the second time.

27 Rep. Odenbach moved that **HR 7001** as found on page 142 of the House Journal be adopted.

28 The question being on Rep. Odenbach's motion that **HR 7001** be adopted.

29 And the roll being called:

30 Yeas 67, Nays 0, Excused 1, Absent 0

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

8 Excused: Bahmuller

9 So the motion having received an affirmative vote of a majority of the members-elect, the
10 Speaker declared the motion carried and **HR 7001** was adopted.

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

13 **MESSAGES FROM THE SENATE**

14 MR. SPEAKER:

15 I have the honor to inform your honorable body that the Senate has adopted SR 701 confirming
16 Tonnis H. Venhuizen as the Lieutenant Governor of South Dakota.

17 Respectfully,
18 Peggy Laurenz, Secretary

19 **CONSIDERATION OF REPORTS OF COMMITTEES**

20 Rep. Odenbach moved that the report of the Standing Committee on
21 Commerce and Energy on **HB 1079** as found on page 141 of the House Journal be adopted.
22 Which motion prevailed and the report was adopted.

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

24 The Speaker declared that **HB 1019, and HJR 5001** changed prime sponsors from
25 Representative Venhuizen to Representative Mortenson at their request.

26 The Speaker declared that **HB 1010** changed prime sponsor from Representative Venhuizen
27 to Representative May at their request.

28 **HB 1137: FOR AN ACT ENTITLED, An Act to establish provisions related to the treatment of**
29 **pain with non-opioid drugs.**

30 Introduced by: **Representative** Mulder

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

1 **HB 1136:** FOR AN ACT ENTITLED, An Act to repeal the alternate realty improvement
2 contractor's excise tax.

3 Introduced by: **Representative** Weisgram

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

5 **HB 1138:** FOR AN ACT ENTITLED, An Act to reduce a maximum property tax mill levy on
6 owner-occupied single-family dwellings for school district general funds, and to repeal certain sales
7 tax exemptions.

8 Introduced by: **Representative** Aylward

9 **HB 1139:** FOR AN ACT ENTITLED, An Act to allow individualized investigative treatments for
10 patients with life-threatening or debilitating diseases or conditions.

11 Introduced by: **Representative** Andera

12 **HB 1140:** FOR AN ACT ENTITLED, An Act to provide oversight regarding the exercise of
13 gubernatorial emergency powers.

14 Introduced by: **Representative** Randolph

15 **HB 1141:** FOR AN ACT ENTITLED, An Act to provide an exception for employers to acquire
16 and distribute opioid antagonists that are available over the counter.

17 Introduced by: **Representative** Rehfeldt

18 **HB 1142:** FOR AN ACT ENTITLED, An Act to amend the bond requirement for certain municipal
19 officers.

20 Introduced by: **Representative** Ladner

21 **HB 1143:** FOR AN ACT ENTITLED, An Act to repeal the requirement for an oath or undertaking
22 by an officer of a third class municipality.

23 Introduced by: **Representative** Ladner

24 **HB 1144:** FOR AN ACT ENTITLED, An Act to adopt the dietitian licensure compact.

25 Introduced by: **Representative** Rehfeldt

26 **HB 1145:** FOR AN ACT ENTITLED, An Act to amend provisions pertaining to the maintenance
27 and publication of the statewide voter registration file.

28 Introduced by: **Representative** Baxter

29 **HB 1146:** FOR AN ACT ENTITLED, An Act to require hospitals to implement drug testing
30 programs.

31 Introduced by: **Representative** Garcia

32 **HB 1147:** FOR AN ACT ENTITLED, An Act to require that public entities submit to forensic
33 accounting in cases of financial misconduct.

34 Introduced by: **Representative** Garcia

1 **HB 1148:** FOR AN ACT ENTITLED, An Act to provide immunity for off-duty law enforcement
2 officers who perform a citizen's arrest or assist with a lawful arrest.

3 Introduced by: **Representative** Jordan

4 **HB 1149:** FOR AN ACT ENTITLED, An Act to make an appropriation benefitting South
5 Dakotans.

6 Introduced by: **Representative** Odenbach

7 **HB 1150:** FOR AN ACT ENTITLED, An Act to address issues facing South Dakota.

8 Introduced by: **Representative** Odenbach

9 **HB 1151:** FOR AN ACT ENTITLED, An Act to require that manufacturers of agricultural
10 equipment allow an independent repair provider or an owner to make certain repairs to agricultural
11 equipment.

12 Introduced by: **Representative** Overweg

13 **HB 1152:** FOR AN ACT ENTITLED, An Act to prohibit the enforcement and implementation of
14 directives from the United States Centers for Disease Control and intergovernmental organizations,
15 and to provide a penalty therefor.

16 Introduced by: **Representative** Aylward

17 **HB 1153:** FOR AN ACT ENTITLED, An Act to authorize a law enforcement officer to temporarily
18 detain an individual who is reasonably suspected of committing a crime and to provide a penalty
19 therefor.

20 Introduced by: **Representative** Kull

21 **HB 1154:** FOR AN ACT ENTITLED, An Act to reduce the approval requirement for the
22 construction or expansion of a municipal campground or tourist accommodation facility.

23 Introduced by: **Representative** Bathke

24 **HB 1155:** FOR AN ACT ENTITLED, An Act to revise the annual reporting period for public safety
25 answering points.

26 Introduced by: **Representative** Bathke

27 **HB 1156:** FOR AN ACT ENTITLED, An Act to provide for the administrative approval of certain
28 drainage applications by counties.

29 Introduced by: **Representative** Bathke

30 **HB 1157:** FOR AN ACT ENTITLED, An Act to remove the maximum fee limit due when applying
31 for a county drainage permit.

32 Introduced by: **Representative** Bathke

33 **HB 1158:** FOR AN ACT ENTITLED, An Act to prohibit the use of public funds for campaigning
34 or other partisan activity, and to provide a penalty therefor.

35 Introduced by: **Representative** Mulally

1 **HB 1159:** FOR AN ACT ENTITLED, An Act to revise percentages regarding certain municipal
2 proceeds of gaming revenues.

3 Introduced by: **Representative** Odenbach

4 **HB 1160:** FOR AN ACT ENTITLED, An Act to waive the driver license renewal period for
5 members of the military and their families, and employees of the state department.

6 Introduced by: **Representative** Goodwin

7 **HB 1161:** FOR AN ACT ENTITLED, An Act to allow additional forms to verify military service
8 for a veteran designation on a commercial driver license or commercial learner's permit.

9 Introduced by: **Representative** Goodwin

10 **HB 1162:** FOR AN ACT ENTITLED, An Act to require the reporting of the number of veterans
11 who die by suicide in this state.

12 Introduced by: **Representative** Goodwin

13 **HB 1163:** FOR AN ACT ENTITLED, An Act to make an appropriation for a grant to assist in the
14 construction and equipping of a veteran's skilled trade center.

15 Introduced by: **Representative** Goodwin

16 **HB 1164:** FOR AN ACT ENTITLED, An Act to revise the process for nominating candidates for
17 lieutenant governor.

18 Introduced by: **Representative** Goodwin

19 **HB 1165:** FOR AN ACT ENTITLED, An Act to provide a means by which an agricultural producer
20 can reject the imposition of an assessment on crops.

21 Introduced by: **Representative** Gosch

22 **HB 1166:** FOR AN ACT ENTITLED, An Act to enhance penalties for the violation of right-to-
23 work statutes and to provide a penalty therefor.

24 Introduced by: **Representative** Randolph

25 **HB 1167:** FOR AN ACT ENTITLED, An Act to make an appropriation for the development of
26 South Dakota.

27 Introduced by: **Representative** Derby

28 **HB 1168:** FOR AN ACT ENTITLED, An Act to make an appropriation to enhance the economic
29 health of South Dakota.

30 Introduced by: **Representative** Derby

31 **HB 1169:** FOR AN ACT ENTITLED, An Act to modify the signature requirement for a petition
32 to initiate a constitutional amendment.

33 Introduced by: **Representative** Reimer

34 **HB 1170:** FOR AN ACT ENTITLED, An Act to make an appropriation for economic development
35 in South Dakota.

36 Introduced by: **Representative** Derby

1 **HB 1171:** FOR AN ACT ENTITLED, An Act to require that a school curriculum include human
2 growth and development within the health curriculum.

3 Introduced by: **Representative** Randolph

4 **HB 1172:** FOR AN ACT ENTITLED, An Act to require that a high school health curriculum
5 include human sexuality and human development within the womb.

6 Introduced by: **Representative** Randolph

7 **HB 1173:** FOR AN ACT ENTITLED, An Act to eliminate the cap on assessment amounts for
8 road improvements.

9 Introduced by: **Representative** Kull

10 **HB 1174:** FOR AN ACT ENTITLED, An Act to revise certain provisions related to the rights and
11 obligations of a father of a child born to an unmarried mother.

12 Introduced by: **Representative** Hughes

13 **HB 1175:** FOR AN ACT ENTITLED, An Act to establish the crime of aggravated careless driving
14 and provide a penalty therefor.

15 Introduced by: **Representative** Hughes

16 **HB 1176:** FOR AN ACT ENTITLED, An Act to provide that equine dental maintenance not
17 constitute the practice of veterinary medicine.

18 Introduced by: **Representative** Hunt

19 **HB 1177:** FOR AN ACT ENTITLED, An Act to require an employee of a school district, the Board
20 of Regents, or the South Dakota Board of Technical Education to receive permission of a parent or
21 guardian of an unemancipated minor student before addressing the student with a name other than
22 the student's legal name and to prohibit the compulsory use of gendered language inconsistent with
23 sex.

24 Introduced by: **Representative** Rice

25 **HB 1178:** FOR AN ACT ENTITLED, An Act to revise a provision related to notice by registered
26 or certified mail of a small claims action.

27 Introduced by: **Representative** Walburg

28 **HB 1179:** FOR AN ACT ENTITLED, An Act to clarify certain labeling and sales requirements for
29 homemade food items.

30 Introduced by: **Representative** Rice

31 **HB 1180:** FOR AN ACT ENTITLED, An Act to require that a candidate for election to the board
32 of a school district disclose the candidate's party affiliation on a declaration of candidacy.

33 Introduced by: **Representative** Rice

34 **HB 1181:** FOR AN ACT ENTITLED, An Act to require a school district to provide dyslexia
35 screening.

36 Introduced by: **Representative** Rice

- 1 **HB 1182:** FOR AN ACT ENTITLED, An Act to provide for the recall of a member of a board of
2 a school district.
- 3 Introduced by: **Representative** Rice
- 4 **HB 1183:** FOR AN ACT ENTITLED, An Act to amend the other revenue base amount available
5 to certain school districts.
- 6 Introduced by: **Representative** Gosch
- 7 **HB 1184:** FOR AN ACT ENTITLED, An Act to amend the deadline for filing a petition to initiate
8 a measure or constitutional amendment.
- 9 Introduced by: **Representative** Hansen
- 10 **HB 1185:** FOR AN ACT ENTITLED, An Act to provide that public moneys for education may not
11 be used for lobbying purposes.
- 12 Introduced by: **Representative** May
- 13 **HB 1186:** FOR AN ACT ENTITLED, An Act to provide for the revision and eventual repeal of
14 the employer's investment in South Dakota's future fee.
- 15 Introduced by: **Representative** May
- 16 **HB 1187:** FOR AN ACT ENTITLED, An Act to authorize the sale of home-processed poultry and
17 pork by producers who verify compliance with food safety training requirements.
- 18 Introduced by: **Representative** Sjaarda
- 19 **HB 1188:** FOR AN ACT ENTITLED, An Act to allow nonresident military members to purchase
20 three-day temporary nonresident waterfowl licenses.
- 21 Introduced by: **Representative** Reder
- 22 **HB 1189:** FOR AN ACT ENTITLED, An Act to extend by two years the date on which moneys
23 appropriated to the Governor's Office of Economic Development in 2021 for marketing, route
24 restoration, business development, and air service marketing will revert to the general fund.
- 25 Introduced by: **Representative** Duffy
- 26 **HB 1190:** FOR AN ACT ENTITLED, An Act to require an ownership disclosure for any non-
27 individual entity that exercises eminent domain.
- 28 Introduced by: **Representative** Lems
- 29 **HB 1191:** FOR AN ACT ENTITLED, An Act to subject advertising services to a gross receipts
30 tax, and to allocate proceeds to property tax relief.
- 31 Introduced by: **Representative** Lems
- 32 **HB 1192:** FOR AN ACT ENTITLED, An Act to remove the maximum fee permitted to be charged
33 by a notary.
- 34 Introduced by: **Representative** Roby

1 **HB 1193:** FOR AN ACT ENTITLED, An Act to prohibit the Board of Regents and institutions under
2 its control from requiring certain students to reside in on-campus housing and purchase meal plans.

3 Introduced by: **Representative** Jensen (Phil)

4 **HB 1194:** FOR AN ACT ENTITLED, An Act to authorize the cooperation of counties for purposes
5 of operating an office of county director of equalization.

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

7 **HB 1195:** FOR AN ACT ENTITLED, An Act to revise a provision related to the termination of
8 parental rights of a child adjudicated abused or neglected.

9 Introduced by: **Representative** Hughes

10 **HB 1196:** FOR AN ACT ENTITLED, An Act to update Uniform Unclaimed Property Act to include
11 provisions related to virtual currency and notice requirements.

12 Introduced by: **Representative** Muckey

13 **HB 1197:** FOR AN ACT ENTITLED, An Act to permit a teacher to assist a student in objectively
14 reviewing scientific information.

15 Introduced by: **Representative** Jensen (Phil)

16 **HB 1198:** FOR AN ACT ENTITLED, An Act to modify the tuition benefit for dependents and
17 spouses of disabled and deceased veterans.

18 Introduced by: **Representative** Baxter

19 Were read the first time.

20 The following bills were read on January 29, 2025, and today the Speaker assigned these bills
21 to committee:

22 **HB 1132** was referred to the Committee on Health and Human Services.

23 **HB 1128**, and **HB 1133** were referred to the Committee on Judiciary.

24 **HB 1131** was referred to the Joint Committee on Appropriations.

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

26 **SB 79:** FOR AN ACT ENTITLED, An Act to permit the operation of a Class I electric bicycle on
27 the Mickelson Trail.

28 Was read the first time and referred to the Committee on Agriculture and Natural Resources.

29 **SB 34:** FOR AN ACT ENTITLED, An Act to update the roles of the Department of Agriculture
30 and Natural Resources and the Department of Public Safety regarding burning and burn permit
31 issuing authority.

32 **SB 78:** FOR AN ACT ENTITLED, An Act to authorize a change in bullet diameter for use in
33 taking certain animals.

34 Were read the first time.

1

SECOND READING OF CONSENT CALENDAR ITEMS

2

SB 36: FOR AN ACT ENTITLED, An Act to repeal the oath requirement for an application for a lodging establishment, campground, food service establishment, or mobile food service establishment license.

3

4

Was read the second time.

5

The question being "Shall **SB 36** pass?"

6

And the roll being called:

7

Yeas 66, Nays 0, Excused 2, Absent 0

8

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

9

Excused: Bahmuller and Gosch

10

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.

11

12

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

13

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

14

15

Was read the second time.

16

Rep. Wittman moved that **HB 1072** be amended as follows:

17

1072A

18

On page 19, after line 25, of the Introduced bill, insert: "

19

Section 51. That § 46A-3D-13 be AMENDED:

20

46A-3D-13. ~~It is the intent of chapters 46A-3A to 46A-3E, inclusive, that any~~ Any land used to satisfy federal wildlife mitigation requirements for a project ~~shall~~ must be within the water development district benefiting from that project."

21

22

On page 25, line 25, of the Introduced bill, after "held." delete "Section 66. That § 46A-3D-13 be REPEALED. "

23

24

On page 25, line 26, of the Introduced bill, after "REPEALED." delete "It is the intent of chapters 46A-3A to 46A-3E, inclusive, that any land used to satisfy federal wildlife mitigation requirements for a project shall be within the water development district benefiting from that project."

25

26

27

Which motion prevailed.

1 The question being "Shall **HB 1072** pass as amended?"

2 And the roll being called:

3 Yeas 56, Nays 9, Excused 3, Absent 0

4 Yeas: Andera, Arlint, Auch, Bathke, DeGroot, Derby, Duffy, Emery, Fitzgerald, Goodwin,
5 Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison, Jorgenson,
6 Kassin, Kayser, Kull, Ladner, Massie, May, Moore, Mortenson, Muckey, Mulder, Nolz, Novstrup,
7 Odenbach, Overweg, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe,
8 Schaeffbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Vasgaard,
9 Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

10 Nays: Aylward, Baxter, Garcia, Jensen (Phil), Jordan, Lems, Manhart, Randolph, and Reder

11 Excused: Bahmuller, Gosch, and Mulally

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

14 **HB 1017:** FOR AN ACT ENTITLED, An Act to require the acceptance of a cash payment for
15 admission to a school-affiliated event.

16 Was read the second time.

17 Rep. Sjaarda moved that **HB 1017** be amended as follows:

18 1017E

19 On page 1, line 6, of the House Education Engrossed bill, delete " If a qualifying school refuses
20 to accept a cash payment from an individual for admission to a school-affiliated event on the day of
21 the event, and if the individual demonstrates that the individual has an amount of cash sufficient to
22 pay for the admission fee, the" and insert " A"

23 On page 1, line 9, of the House Education Engrossed bill, after "school" insert " that refuses to
24 accept a cash payment from an individual for admission to a school-affiliated event on the day of
25 the event,"

26 On page 1, line 9, of the House Education Engrossed bill, after "charge" insert " if:

27 (1) The individual demonstrates that the individual has an amount of cash sufficient to pay for
28 the admission fee; and

29 (2) Seating to the event is available"

30 On page 1, line 15, of the House Education Engrossed bill, delete the comma and insert " or"

31 On page 1, line 16, of the House Education Engrossed bill, after "school" delete ", and institution
32 under the control of the South Dakota Board of Regents or the South Dakota Board of Technical
33 Education."

34 On page 1, line 18, of the House Education Engrossed bill, after "Education." delete "For the
35 purpose of this section, "school-affiliated event" means:

36 (1) Any athletic competition, play, musical, concert, performance, or other activity:

37 (a) That is conducted or sponsored by the qualifying school for which the qualifying school
38 charges an admission fee; or

1 (b) In which a qualifying school participates and for which an admission fee is charged; or

2 (2) Any event or activity that is conducted in a facility that is owned or leased by a qualifying
3 school"

4 On page 1, line 25, of the House Education Engrossed bill, after "school." insert "

5 For the purpose of this section, "school affiliated event" means any athletic competition, play,
6 musical, concert, performance, or other activity that is conducted or sponsored by the qualifying
7 school, or in which the qualifying school participates, and for which an admission fee that is less
8 than two hundred dollars per individual is charged."

9 Which motion prevailed.

10 The question being "Shall **HB 1017** pass as amended?"

11 And the roll being called:

12 Yeas 34, Nays 32, Excused 2, Absent 0

13 Yeas: Andera, Auch, Aylward, Baxter, Fitzgerald, Garcia, Goodwin, Greenfield, Halverson,
14 Heinemann, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Ladner, Lems,
15 Manhart, May, Mulally, Nolz, Odenbach, Overweg, Pourier, Randolph, Reder, Rice, Schaeffbauer,
16 Schwans, Sjaarda, Soye, and Speaker Hansen

17 Nays: Arlint, Bathke, DeGroot, Derby, Duffy, Emery, Healy, Heermann, Jamison, Kassin, Kull,
18 Massie, Moore, Mortenson, Muckey, Mulder, Novstrup, Peterson (Drew), Rehfeldt, Reimer, Reisch,
19 Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and
20 Wittman

21 Excused: Bahmuller and Gosch

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

24 Rep. Soye announced her intention to reconsider the vote by which **HB 1017** lost.

25 **HJR 5002:** A JOINT RESOLUTION, Applying to the United States Congress under Article V of
26 the United States Constitution to call for a convention for proposing an amendment to the
27 constitution establishing congressional term limits.

28 Was read the second time.

29 The question being "Shall **HJR 5002** pass?"

30 And the roll being called:

31 Yeas 42, Nays 24, Excused 2, Absent 0

32 Yeas: Arlint, Auch, Aylward, Bathke, DeGroot, Emery, Fitzgerald, Garcia, Goodwin, Greenfield,
33 Healy, Heermann, Heinemann, Hughes, Jamison, Jensen (Phil), Jordan, Kassin, Kayser, Ladner,
34 May, Muckey, Mulder, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Randolph, Rehfeldt,
35 Reimer, Roby, Shorma, Sjaarda, Soye, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weisgram,
36 Wittman, and Speaker Hansen

1 Nays: Andera, Baxter, Derby, Duffy, Halverson, Hunt, Ismay, Jorgenson, Kull, Lems, Manhart,
2 Massie, Moore, Mortenson, Mulally, Nolz, Reder, Reisch, Rice, Roe, Schaeffbauer, Schwans, Stevens,
3 and Weems

4 Excused: Bahmuller and Gosch

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

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

8 **SB 10:** FOR AN ACT ENTITLED, An Act to shorten the time before records of a Governor or a
9 lieutenant governor are opened to the public.

10 Was read the second time.

11 The question being "Shall **SB 10** pass?"

12 And the roll being called:

13 Yeas 59, Nays 7, Excused 2, Absent 0

14 Yeas: Arlint, Auch, Aylward, Bathke, Baxter, DeGroot, Derby, Duffy, Emery, Fitzgerald, Garcia,
15 Goodwin, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison,
16 Jensen (Phil), Jordan, Jorgenson, Kayser, Kull, Ladner, Lems, Massie, May, Moore, Muckey, Mulally,
17 Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Reder, Rehfeldt, Reimer,
18 Reisch, Roby, Roe, Schaeffbauer, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen,
19 Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

20 Nays: Andera, Kassin, Manhart, Mortenson, Randolph, Rice, and Schwans

21 Excused: Bahmuller and Gosch

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

24 **SB 5:** FOR AN ACT ENTITLED, An Act to permit a sheriff to charge a fee for service of process,
25 whether service is completed or not.

26 Was read the second time.

27 The question being "Shall **SB 5** pass as amended?"

28 And the roll being called:

29 Yeas 58, Nays 8, Excused 2, Absent 0

30 Yeas: Andera, Arlint, Auch, Bathke, Baxter, DeGroot, Derby, Duffy, Emery, Fitzgerald, Garcia,
31 Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison, Jordan,
32 Jorgenson, Kassin, Kayser, Kull, Ladner, Lems, Massie, May, Moore, Mortenson, Muckey, Mulder,
33 Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Rice,
34 Roby, Roe, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg,
35 Weems, Weisgram, Wittman, and Speaker Hansen

36 Nays: Aylward, Goodwin, Jensen (Phil), Manhart, Mulally, Randolph, Reder, and Schaeffbauer

1 Excused: Bahmuller and Gosch

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

5 Was read the second time.

6 The question being "Shall **SB 30** pass?"

7 And the roll being called:

8 Yeas 52, Nays 14, Excused 2, Absent 0

9 Yeas: Arlint, Auch, Bathke, DeGroot, Derby, Duffy, Emery, Fitzgerald, Garcia, Goodwin,
10 Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Jamison, Jorgenson, Kassin, Kayser,
11 Kull, Ladner, Lems, Manhart, Massie, May, Moore, Mortenson, Muckey, Mulder, Novstrup, Odenbach,
12 Overweg, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Shorma, Sjaarda,
13 Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and
14 Speaker Hansen

15 Nays: Andera, Aylward, Baxter, Hunt, Ismay, Jensen (Phil), Jordan, Mulally, Nolz, Randolph,
16 Reder, Schaeftbauer, Schwans, and Soye

17 Excused: Bahmuller and Gosch

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

20 **COMMEMORATIONS**

21 **HC 8004:** A LEGISLATIVE COMMEMORATION, Recognizing the Howard Tigers as the 2024
22 Class B boys basketball state champions.

23 Introduced by: **Representatives** Reisch, Emery, Moore, and Walburg and **Senators** Crabtree
24 and Perry

25 **HC 8005:** A LEGISLATIVE COMMEMORATION, Recognizing the Howard Tigers as the 2024
26 Class 9A football state champions.

27 Introduced by: **Representatives** Reisch, Emery, Moore, and Walburg and **Senators** Crabtree
28 and Perry

29 **HC 8006:** A LEGISLATIVE COMMEMORATION, Celebrating the Chester Lady Flyers as the
30 2024 Class B State Volleyball Champions.

31 Introduced by: **Representatives** Walburg, Emery, Moore, Reisch, and Sjaarda and
32 **Senators** Crabtree, Perry, and Smith

33 Rep. Schaeftbauer moved that the House do now adjourn, which motion prevailed and at
34 3:29 p.m. the House adjourned.

35

Patricia Miller, Chief Clerk