

JOURNAL OF THE HOUSE

ONE HUNDREDTH SESSION

TWENTY-THIRD DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, February 19, 2025

The House convened at 2:00 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 pages Taylyn Rausch and Harper Reichling.

Roll Call: All members present.

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 22nd 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

COMMUNICATIONS AND PETITIONS

2

February 18, 2025

3

Mr. Speaker and Members of the House of Representatives:

4

I have the honor to inform you that on February 18, 2025, I approved House Bills 1002, 1003, 1004, 1014, 1027, 1028, 1029, 1030, 1031, and 1032, and the same have been deposited in the office of the Secretary of State.

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Respectfully submitted,
Larry Rhoden
Governor

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REPORTS OF STANDING COMMITTEES

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MR. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **HB 1074 and 1075** and finds the same correctly enrolled.

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Respectfully submitted,
Jon Hansen, Chair

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MR. SPEAKER:

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The Committee on House Military and Veterans Affairs respectfully reports that it has had under consideration **HB 1161** 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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Also MR. SPEAKER:

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The Committee on House Military and Veterans Affairs respectfully reports that it has had under consideration **HB 1162** which was tabled.

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Also MR. SPEAKER:

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The Committee on House Military and Veterans Affairs respectfully reports that it has had under consideration **HB 1163** with the recommendation that said bill be referred to the Joint Committee on Appropriations without recommendation.

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Respectfully submitted,
Tim Goodwin, Chair

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MR. SPEAKER:

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The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1019** which was deferred to the 41st Legislative Day.

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Also MR. SPEAKER:

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The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1241** which was tabled.

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1 Also MR. SPEAKER:

2 The Committee on House State Affairs respectfully reports that it has had under consideration
3 **HCR 6003** and returns the same with the recommendation that said resolution be adopted.

4 Respectfully submitted,
5 Scott Odenbach, Chair

6 MR. SPEAKER:

7 The Committee on House Education respectfully reports that it has had under consideration
8 **HB 1200** and returns the same with the recommendation that said bill be amended as follows:

9 1200A

10 On page 1, line 4, of the Introduced bill, after "13-13:" delete "A salary schedule established
11 by the board of a school district for teachers must reflect:"

12 On page 1, line 6, of the Introduced bill, after "reflect:" delete "(1) Demand for the teacher's
13 area of certification in the school district, geographic region, or state;

14 (2) The highest degree and additional credit hours held by the teacher; and

15 (3) The teacher's years of experience.

16 "

17 On page 1, line 10, of the Introduced bill, delete " the" and insert " a"

18 On page 1, line 10, of the Introduced bill, after "schedule" insert " established by the board of
19 a school district for teachers"

20 And that as so amended, **HB 1200** do pass.

21 Also MR. SPEAKER:

22 The Committee on House Education respectfully reports that it has had under consideration
23 **HB 1239** and returns the same with the recommendation that said bill do pass.

24 Also MR. SPEAKER:

25 The Committee on House Education respectfully reports that it has had under consideration
26 **HB 1254** which was tabled.

27 Also MR. SPEAKER:

28 The Committee on House Education respectfully reports that it has had under consideration
29 **HB 1255** which was deferred to the 41st Legislative Day.

30 Respectfully submitted,
31 Lana J. Greenfield, Chair

32 MR. SPEAKER:

33 The Committee on House Commerce and Energy respectfully reports that it has had under
34 consideration **HB 1231 and 1251** which were tabled.

1 Also MR. SPEAKER:

2 The Committee on House Commerce and Energy respectfully reports that it has had under
3 consideration **HB 1232** and returns the same with the recommendation that said bill be amended
4 as follows:

5 1232B

6 On page 1, line 3, of the Introduced bill, after "Dakota:" delete "Section 1. That § 36-15-51 be
7 AMENDED:

8 "

9 On page 1, line 4, of the Introduced bill, after "AMENDED:" delete "36-15-51. "

10 On page 1, line 4, of the Introduced bill, after "36-15-51. " delete "No person may operate a
11 salon or booth without a license. Any person who desires to operate a salon or booth where:

12 (1) All More than one of the practices of cosmetology are provided shall, must apply to the
13 commission for a cosmetology salon license or a cosmetology booth license, as applicable;

14 (2) Only nail technology is practiced, shall must apply to the commission for a nail salon or nail
15 booth license, as applicable; and

16 (3) Only esthetics is practiced, shall must apply to the commission for an esthetics salon or
17 esthetics booth license, as applicable;

18 (4) Cosmetology is limited to one or a few of the practices specified in § 36-15-2, shall apply
19 to the commission for a limited salon or booth license. The application for a limited license shall
20 state the practices of cosmetology desired to be provided.

21 The application shall must be accompanied by the license fee provided for in this chapter. Any
22 A salon or booth license expires annually on a date set by the commission in rules promulgated
23 pursuant to chapter 1-26, and is renewable annually.

24 No person may practice cosmetology, nail technology, or esthetics beyond the limits specified
25 in the license. A violation of this section is a Class 2 misdemeanor."

26 On page 2, line 18, of the Introduced bill, after "violation." delete "If a licensed salon allows
27 more than one nail technician to share a work station, booth, or other space within the salon, the
28 salon must meet any additional air quality requirements imposed by the commission."

29 And that as so amended, **HB 1232** do pass, and having been certified as uncontested, be
30 placed on the consent calendar.

31 Respectfully submitted,
32 Karla J. Lems, Chair

33 MR. SPEAKER:

34 The Committee on House Judiciary respectfully reports that it has had under consideration
35 **HB 1174** and returns the same with the recommendation that said bill do pass.

36 Also MR. SPEAKER:

37 The Committee on House Judiciary respectfully reports that it has had under consideration
38 **HB 1195** and returns the same with the recommendation that said bill be amended as follows:

1 1195A

2 On page 2, line 21, of the Introduced bill, delete "Makes a voluntary adoption plan with
3 prospective adoptive parents chosen by the parent, in conjunction with a child placement agency or
4 private attorney, and files " and insert "Files "

5 On page 2, line 23, of the Introduced bill, after "25-5A-6" delete ", or consents to a specific
6 adoption pursuant to § 25-6-4"

7 On page 2, line 26, of the Introduced bill, after "rights" delete " or consent to adoption"

8 On page 2, line 27, of the Introduced bill, after "child;" insert " and"

9 On page 2, line 28, of the Introduced bill, after "child;

10 (b)" delete "The other parent or putative father has consented to the voluntary termination of
11 the other parent or putative father's parental rights or the specific adoption, unless the other parent
12 or putative father's consent is judicially waived pursuant to chapter 25-6; and

13 (c) "

14 And that as so amended, **HB 1195** do pass, and having been certified as uncontested, be
15 placed on the consent calendar.

16 Also MR. SPEAKER:

17 The Committee on House Judiciary respectfully reports that it has had under consideration
18 **HB 1207** which was deferred to the 41st Legislative Day.

19 Also MR. SPEAKER:

20 The Committee on House Judiciary respectfully reports that it has had under consideration
21 **HB 1221** with the recommendation that said bill be amended as follows:

22 1221B

23 On page 1, line 4, of the Introduced bill, delete " Health" and insert " Public Safety"

24 On page 1, line 7, of the Introduced bill, after "violence;" delete " or"

25 On page 1, line 8, of the Introduced bill, after "assault" insert ";

26 (4) Victims of commercial sexual exploitation; or

27 (5) Victims of human trafficking"

28 On page 1, line 9, of the Introduced bill, delete " Health" and insert " Public Safety"

29 On page 1, line 23, of the Introduced bill, delete " (5)" and insert " (6)"

30 On page 2, line 3, of the Introduced bill, delete " Health" and insert " Public Safety"

31 On page 2, line 5, of the Introduced bill, delete " Health" and insert " Public Safety"

32 And that as so amended said bill be referred to the Joint Committee on Appropriations with a
33 Do Pass as Amended recommendation.

34 Respectfully submitted,
35 Mike Stevens, Chair

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MESSAGES FROM THE SENATE

2

MR. SPEAKER:

3

I have the honor to return herewith **HB 1074 and 1075** which have passed the Senate without change.

4

5

Also MR. SPEAKER:

6

I have the honor to transmit herewith **SB 62, 140, 167, and 219** which have passed the Senate and your favorable consideration is respectfully requested.

7

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Respectfully,
Peggy Laurenz, Secretary

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MOTIONS AND RESOLUTIONS

11

HCR 6008: A CONCURRENT RESOLUTION, Supporting the effort to bring Amtrak passenger rail service to the state.

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Was read the second time.

14

Rep. Goodwin moved that **HCR 6008** as found on page 195 of the House Journal be adopted.

15

The question being on Rep. Goodwin's motion that **HCR 6008** be adopted.

16

And the roll being called:

17

Yeas 49, Nays 21, Excused 0, Absent 0

18

Yeas: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Hughes, Ismay, Jamison, Jensen (Phil), Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Massie, Moore, Mortenson, Muckey, Mulally, Mulder, Peterson (Drew), Pourier, Randolph, Reder, Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

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Nays: Andera, Auch, Aylward, Bahmuller, Baxter, Heinemann, Hunt, Jordan, Lems, Manhart, May, Nolz, Novstrup, Odenbach, Overweg, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

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So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and **HCR 6008** was adopted.

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28

CONSIDERATION OF REPORTS OF COMMITTEES

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Rep. Odenbach moved that the reports of the Standing Committees on

30

Agriculture and Natural Resources on **HB 1116** as found on page 299 of the House Journal; also

31

Taxation on **HB 1245** as found on page 299 of the House Journal; and

32

Transportation on **HB 1265** as found on page 302 of the House Journal be adopted.

33

Which motion prevailed and the reports were adopted.

1 Rep. Aylward moved that **HB 1218** be placed on today's calendar pursuant to JR 6F-6.

2 The question being on Rep. Aylward's motion that **HB 1218** be placed on today's calendar
3 pursuant to JR 6F-6.

4 And the roll being called:

5 Yeas 41, Nays 29, Excused 0, Absent 0

6 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Czmowski, Fitzgerald, Garcia, Goodwin,
7 Gosch, Greenfield, Heinemann, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser,
8 Kolbeck (Jack), Lems, Manhart, May, Moore, Mulally, Nolz, Novstrup, Odenbach, Overweg, Pourier,
9 Randolph, Reder, Rice, Roby, Schaeftbauer, Schwans, Sjaarda, Soye, Vasgaard, Walburg, and
10 Speaker Hansen

11 Nays: Arlint, Bathke, DeGroot, Derby, Duffy, Emery, Halverson, Healy, Heermann, Jamison,
12 Kassin, Kull, Ladner, Massie, Mortenson, Muckey, Mulder, Peterson (Drew), Rehfeldt, Reimer,
13 Reisch, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Weems, Weisgram, and Wittman

14 So the motion having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the motion prevailed and **HB 1218** was so placed.

16 Rep. Goodwin moved that **HB 1164** be placed on today's calendar pursuant to JR 6F-6.

17 The question being on Rep. Goodwin's motion that **HB 1164** be placed on today's calendar
18 pursuant to JR 6F-6.

19 And the roll being called:

20 Yeas 43, Nays 27, Excused 0, Absent 0

21 Yeas: Arlint, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald,
22 Garcia, Goodwin, Greenfield, Halverson, Healy, Heermann, Jorgenson, Kassin, Kolbeck (Jack), Kull,
23 Ladner, Lems, Massie, Moore, Mortenson, Muckey, Mulder, Peterson (Drew), Pourier, Rehfeldt,
24 Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems,
25 Weisgram, and Wittman

26 Nays: Andera, Auch, Aylward, Gosch, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen
27 (Phil), Jordan, Kayser, Manhart, May, Mulally, Nolz, Novstrup, Odenbach, Overweg, Randolph,
28 Reder, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

29 So the motion having received an affirmative vote of a majority of the members-elect, the
30 Speaker declared the motion prevailed and **HB 1164** was so placed.

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

32 **SB 219:** FOR AN ACT ENTITLED, An Act to require the acceptance of a cash payment for
33 admission to a school-affiliated event.

34 Was read the first time and referred to the Committee on Education.

35 **SB 140:** FOR AN ACT ENTITLED, An Act to revise a provision related to the reimbursement of
36 expenses incurred by a county in detaining a parolee.

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

1 **SB 167:** FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to municipal
2 government.

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

4 **SB 62:** FOR AN ACT ENTITLED, An Act to establish mandatory reporting requirements related
5 to improper governmental conduct and crime, and to provide a penalty therefor.

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

7 The following bills were read on February 18, 2025, and today the Speaker assigned these bills
8 to committee:

9 **SB 111** was referred to the Committee on Judiciary.

10 **SB 63, SB 176,** and **SB 192** were referred to the Committee on State Affairs.

11 **SECOND READING AND CONSIDERATION OF CONSENT CALENDAR ITEMS**

12 **HB 1099:** FOR AN ACT ENTITLED, An Act to modify the community paramedic endorsement.

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

15 Were read the second time.

16 The question being "Shall **HB 1099 and 1196** pass?"

17 And the roll being called:

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

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

26 Nays: Mulally

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

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

30 **HB 1132:** FOR AN ACT ENTITLED, An Act to establish provisions for eligibility in the child care
31 assistance program for certain child care employees.

32 Was read the second time.

1 Rep. Healy moved that **HB 1132** be amended as follows:

2 1132B

3 On page 2, line 13, of the House Health and Human Services Engrossed bill, delete " twenty"
4 and insert " thirty"

5 Which motion prevailed.

6 The question being "Shall **HB 1132** pass as amended?"

7 And the roll being called:

8 Yeas 39, Nays 31, Excused 0, Absent 0

9 Yeas: Arlint, Bahmuller, Bathke, DeGroot, Derby, Emery, Fitzgerald, Goodwin, Greenfield,
10 Halverson, Healy, Heermann, Heinemann, Jamison, Jorgenson, Kassin, Kull, Ladner, Massie, Moore,
11 Muckey, Mulder, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Shorma,
12 Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

13 Nays: Andera, Auch, Aylward, Baxter, Czmowski, Duffy, Garcia, Gosch, Hughes, Hunt, Ismay,
14 Jensen (Phil), Jordan, Kayser, Kolbeck (Jack), Lems, Manhart, May, Mortenson, Mulally, Nolz,
15 Novstrup, Odenbach, Overweg, Randolph, Reder, Schaeftbauer, Schwans, Sjaarda, Soye, and
16 Speaker Hansen

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 **HB 1223**: FOR AN ACT ENTITLED, An Act to provide for conscience exemptions from certain
20 vaccinations.

21 Was read the second time.

22 Rep. Andera moved that **HB 1223** be amended as follows:

23 1223D

24 On page 1, line 1, of the House Health and Human Services Engrossed bill, delete " certain"
25 and insert " genetic-based"

26 On page 1, line 12, of the House Health and Human Services Engrossed bill, after "a" insert "
27 genetic-based"

28 On page 1, line 12, of the House Health and Human Services Engrossed bill, after "vaccination"
29 insert ", as defined in section 2 of this Act,"

30 On page 1, line 14, of the House Health and Human Services Engrossed bill, delete " treatment"
31 and insert " vaccination"

32 On page 1, line 14, of the House Health and Human Services Engrossed bill, delete " sections
33 2 to 7, inclusive," and insert " section 3"

34 On page 1, line 17, of the House Health and Human Services Engrossed bill, delete " 2 to 7,
35 inclusive," and insert " 3 and 4"

36 On page 1, line 21, of the House Health and Human Services Engrossed bill, delete " any loss
37 of employment status" and insert " other adversarial employment action"

1 On page 1, line 24, of the House Health and Human Services Engrossed bill, delete
2 "Vaccination" and insert "Genetic-based vaccination"

3 On page 1, line 24, of the House Health and Human Services Engrossed bill, delete " approved
4 by the United States Food and Drug Administration" and insert " that functions by utilizing,
5 modifying, or transferring genetic material to induce an immune response. The term includes
6 vaccinations developed using messenger ribonucleic acid technology, modified messenger
7 ribonucleic technology, self-amplifying messenger ribonucleic technology, or deoxyribonucleic
8 technology"

9 On page 2, line 3, of the House Health and Human Services Engrossed bill, after "a" insert "
10 genetic-based"

11 On page 2, line 4, of the House Health and Human Services Engrossed bill, after "exempt"
12 delete " under sections 2 to 7, inclusive, of this Act"

13 On page 2, line 7, of the House Health and Human Services Engrossed bill, delete " be" and
14 insert ":

15 (1) Have the individual's employment or student status conditioned upon the receipt of a
16 genetic-based vaccination; or

17 (2) Be"

18 On page 2, line 8, of the House Health and Human Services Engrossed bill, after "a" insert "
19 genetic-based"

20 On page 2, line 8, of the House Health and Human Services Engrossed bill, after "conscience."
21 insert "

22 An employer shall provide reasonable accommodations to an employee claiming a conscience
23 exemption under section 3 of this Act to protect the safety and health of employees and other
24 individuals from communicable diseases."

25 On page 2, line 9, of the House Health and Human Services Engrossed bill, delete " person"
26 and insert " public accommodation"

27 On page 2, line 11, of the House Health and Human Services Engrossed bill, after "a" insert "
28 genetic-based"

29 On page 2, line 12, of the House Health and Human Services Engrossed bill, after "vaccination."
30 delete "Section 5. That a NEW SECTION be added to title 34:

31 "

32 On page 2, line 13, of the House Health and Human Services Engrossed bill, after "34:" delete
33 "Before any state agency, political subdivision, or person attempts to mandate or require that an
34 individual receive a vaccination, or attempts to condition an individual's job or student status upon
35 the receipt of a vaccination, the state agency, political subdivision, or person must inform the
36 individual of the right to the conscience exemption under sections 2 to 7, inclusive, of this Act."

37 On page 2, line 18, of the House Health and Human Services Engrossed bill, after "Act." delete
38 "Section 6. That a NEW SECTION be added to title 34:"

39 On page 2, line 19, of the House Health and Human Services Engrossed bill, after "34:" delete
40 "A civil action for damages or injunctive relief, or both, may be brought by any individual for any
41 violation of sections 3 to 5, inclusive, of this Act. An individual, who is aggrieved by any violation of
42 sections 3 to 5, inclusive, of this Act and commences a civil action, is entitled, upon the finding of a
43 violation, to recover threefold the actual damages sustained, along with the costs of the action and
44 reasonable attorney's fees."

1 On page 2, line 25, of the House Health and Human Services Engrossed bill, delete " to 6,
2 inclusive," and insert " and 4"

3 On page 3, line 7, of the House Health and Human Services Engrossed bill, delete "Medical
4 treatment " and insert "Genetic-based vaccinations "

5 On page 3, line 11, of the House Health and Human Services Engrossed bill, delete " medical
6 treatment" and insert " genetic-based vaccinations"

7 On page 3, line 11, of the House Health and Human Services Engrossed bill, after "treatment;"
8 insert " or"

9 On page 3, line 12, of the House Health and Human Services Engrossed bill, after "treatment;"
10 delete "(5) Medical treatment administered to an individual who is experiencing a mental health
11 crisis and is determined, by a qualified mental health professional, to be in an immediate danger to
12 oneself or others; and"

13 On page 3, line 15, of the House Health and Human Services Engrossed bill, delete "(6)" and
14 insert "(5)"

15 On page 3, line 16, of the House Health and Human Services Engrossed bill, after "Guard."
16 delete "Sections 3 to 6, inclusive, of this Act do not prevent the South Dakota National Guard from
17 requiring a vaccination in compliance with a valid and lawful command order that applies to a
18 servicemember who is subject to federal activation."

19 Which motion prevailed.

20 The question being "Shall **HB 1223** pass as amended?"

21 And the roll being called:

22 Yeas 34, Nays 36, Excused 0, Absent 0

23 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Fitzgerald, Garcia, Gosch, Greenfield,
24 Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems,
25 Manhart, May, Mulally, Nolz, Novstrup, Odenbach, Overweg, Randolph, Reder, Rice, Schaeffbauer,
26 Schwans, Sjaarda, Soye, and Speaker Hansen

27 Nays: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Goodwin, Halverson, Healy,
28 Heermann, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Moore, Mortenson, Muckey, Mulder,
29 Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van
30 Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

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

33 Rep. Manhart announced his intention to reconsider the vote by which **HB 1223** lost.

34 Speaker Pro Tempore Lems now presiding.

35 **HB 1256:** FOR AN ACT ENTITLED, An Act to require the inclusion of certain information on a
36 candidate's nominating petition or on a ballot question petition.

37 Was read the second time.

1 The question being "Shall **HB 1256** pass as amended?"

2 And the roll being called:

3 Yeas 61, Nays 9, Excused 0, Absent 0

4 Yeas: Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, Derby, Duffy, Emery,
5 Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Heermann, Heinemann, Hughes, Hunt,
6 Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kull, Ladner, Lems, Manhart,
7 Massie, May, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg,
8 Peterson (Drew), Randolph, Reder, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaeffbauer,
9 Schwans, Shorma, Sjaarda, Soye, Van Diepen, Vasgaard, Walburg, Weisgram, and Speaker Hansen

10 Nays: Andera, DeGroot, Healy, Kolbeck (Jack), Pourier, Stevens, Uhre-Balk, Weems, and
11 Wittman

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 Speaker Hansen now presiding.

15 **HB 1259**: FOR AN ACT ENTITLED, An Act to prohibit unauthorized access to certain multi-
16 occupancy rooms and to provide a penalty therefor.

17 Was read the second time.

18 Rep. Derby rose to a point of order that Rep Schaeffbauer keep her comments to the bill.

19 Speaker Hansen allowed her to continue.

20 Rep. Greenfield rose to a point of order that Rep. Schaeffbauer was stating facts that were not
21 verified.

22 Speaker Hansen asked Rep. Schaeffbauer to stick to the bill.

23 Rep. Garcia rose to a point of order that Rep. Healy was not sticking to the content of the bill.

24 Speaker Hansen said Rep. Healy was addressing the bill.

25 The question being "Shall **HB 1259** pass as amended?"

26 And the roll being called:

27 Yeas 49, Nays 21, Excused 0, Absent 0

28 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, Czmowski, Duffy, Fitzgerald, Garcia,
29 Goodwin, Gosch, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson,
30 Kassin, Kayser, Ladner, Lems, Manhart, Massie, May, Mortenson, Mulally, Mulder, Nolz, Novstrup,
31 Odenbach, Overweg, Randolph, Reder, Rehfeldt, Reimer, Rice, Roby, Schaeffbauer, Schwans,
32 Shorma, Sjaarda, Soye, Vasgaard, Weems, Weisgram, and Speaker Hansen

1 Nays: Bathke, DeGroot, Derby, Emery, Greenfield, Halverson, Healy, Heermann, Kolbeck
 2 (Jack), Kull, Moore, Muckey, Peterson (Drew), Pourier, Reisch, Roe, Stevens, Uhre-Balk, Van Diepen,
 3 Walburg, and Wittman

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

6 **HB 1260:** FOR AN ACT ENTITLED, An Act to require that birth certificates and certain official
 7 documents reflect biological sex.

8 Was read the second time.

9 Rep. Schaeffbauer moved that **HB 1260** be amended as follows:

10 1260B

11 On page 1, after line 18, of the House State Affairs Engrossed bill, insert: "

12 **Section 2. That § 32-12-3.1 be AMENDED:**

13 **32-12-3.1.** Any applicant as provided for in this chapter shall, on making application for an
 14 operator's license, motorcycle operator's license, restricted minor's permit, motorcycle restricted
 15 minor's permit, instruction permit, motorcycle instruction permit, or nondriver identification card,
 16 present to the examiner one of the following documents in order to establish identity ~~and~~, date of
 17 birth, and sex, as defined in § 34-25.1.1:

- 18 (1) A certified copy of ~~a~~ an original United States birth certificate issued at or near the time
 19 of birth, filed with the state office of vital records or equivalent agency;
- 20 (2) A consular report of birth abroad (United States Department of State form FS-240, DS-
 21 1350, or FS-545);
- 22 (3) A valid, unexpired permanent resident card (form I-551 issued by the United States
 23 Department of Homeland Security or Immigration and Naturalization Services);
- 24 (4) An unexpired employment authorization document issued by the United States
 25 Department of Homeland Security (form I-766 or I-688B);
- 26 (5) An unexpired foreign passport with a valid, unexpired United States visa affixed
 27 accompanied by the approved I-94 form documenting the applicant's most recent
 28 entrance into the United States;
- 29 (6) A certificate of naturalization issued by the United States Department of Homeland
 30 Security (form N-550 or N-570);
- 31 (7) A certificate of citizenship form N-560 or N-561 issued by the United States Department
 32 of Homeland Security;
- 33 (8) A valid driver license issued by this state or another state that meets the requirements
 34 of 6 C.F.R. Part 37 as amended through January 1, 2015, and is acceptable by federal
 35 agencies for official purposes;
- 36 (9) Any other document designated by the Department of Homeland Security by publication
 37 in the Federal Register that establishes identity, sex, and date of birth; or
- 38 (10) A valid, unexpired United States passport.

39 For all documentation offered by the applicant to provide evidence of identity, sex, date of
 40 birth, social security number or nonwork authorized status, address of principal residence, and lawful

1 status, the department shall make a copy of the documentation and shall retain the copy for ten
2 years. All documents retained under this section are confidential.

3 The examiner may, as part of a documented exceptions process, accept other evidence of
4 identity and date of birth of any applicant and lawful status of any United States citizen only if the
5 examiner is satisfied that the applicant cannot, for good reason beyond the applicant's control,
6 produce such primary documents. The examiner shall record the acceptance of any alternative
7 document under the exceptions process. The Department of Public Safety may not require new
8 evidence of birth at the time an application is made by a person holding an operator's license,
9 motorcycle operator's license, restricted minor's permit, motorcycle restricted minor's permit,
10 instruction permit, motorcycle instruction permit, or nondriver identification card, if that person's
11 driver license or nondriver identification card meets the requirements of 6 C.F.R. Part 37 as amended
12 through January 1, 2015, is acceptable by federal agencies for official purposes, and is turned in to
13 the department with the application. Any person who obtains a driver license or nondriver
14 identification card pursuant to this section fraudulently or by use of a fraudulently obtained
15 document is guilty of a Class 1 misdemeanor."

16 On page 2, line 34, of the House State Affairs Engrossed bill, delete " a" and insert " an original"

17 On page 3, line 1, of the House State Affairs Engrossed bill, after "birth" insert " issued at or
18 near the time of birth,"

19 On page 3, line 1, of the House State Affairs Engrossed bill, delete " and" and insert a comma

20 On page 3, line 1, of the House State Affairs Engrossed bill, after "identity" insert ", and sex,
21 as defined in § 34-25-1. 1,"

22 Which motion prevailed.

23 The question being "Shall **HB 1260** pass as amended?"

24 And the roll being called:

25 Yeas 35, Nays 35, Excused 0, Absent 0

26 Yeas: Andera, Auch, Aylward, Baxter, Derby, Garcia, Goodwin, Gosch, Heinemann, Hughes,
27 Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Kolbeck (Jack), Lems, Manhart, Massie, May,
28 Mulally, Nolz, Novstrup, Odenbach, Overweg, Randolph, Reder, Reimer, Rice, Schaeftbauer,
29 Schwans, Sjaarda, Soye, and Speaker Hansen

30 Nays: Arlint, Bahmuller, Bathke, Czmowski, DeGroot, Duffy, Emery, Fitzgerald, Greenfield,
31 Halverson, Healy, Heermann, Jamison, Kassin, Kull, Ladner, Moore, Mortenson, Muckey, Mulder,
32 Peterson (Drew), Pourier, Rehfeldt, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen,
33 Vasgaard, Walburg, Weems, Weisgram, and Wittman

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

36 Rep. Schaeftbauer announced her intention to reconsider the vote by which **HB 1260** lost.

37 **HB 1236**: FOR AN ACT ENTITLED, An Act to expand the safety zone within which hunting and
38 trapping are restricted.

39 Was read the second time.

1 The question being "Shall **HB 1236** pass?"

2 And the roll being called:

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

4 Yeas: Arlint, Auch, Bahmuller, Bathke, Baxter, Czmowski, Derby, Duffy, Emery, Fitzgerald,
5 Goodwin, Gosch, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison,
6 Jorgenson, Kassin, Kull, Ladner, Massie, May, Moore, Mortenson, Muckey, Mulder, Nolz, Novstrup,
7 Overweg, Peterson (Drew), Reder, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schwans, Shorma,
8 Sjaarda, Soye, Stevens, Uhre-Balk, Walburg, Weems, Weisgram, and Wittman

9 Nays: Andera, Aylward, DeGroot, Garcia, Greenfield, Jensen (Phil), Jordan, Kayser, Kolbeck
10 (Jack), Lems, Manhart, Mulally, Odenbach, Pourier, Randolph, Schaeftbauer, Van Diepen, Vasgaard,
11 and Speaker Hansen

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 1261:** FOR AN ACT ENTITLED, An Act to provide the board of commissioners with authority
15 over certain intra-county land uses and construction projects.

16 Was read the second time.

17 The question being "Shall **HB 1261** pass?"

18 And the roll being called:

19 Yeas 38, Nays 32, Excused 0, Absent 0

20 Yeas: Arlint, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Fitzgerald, Goodwin,
21 Halverson, Healy, Heermann, Heinemann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner, Massie,
22 Moore, Mortenson, Muckey, Mulder, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma,
23 Sjaarda, Stevens, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

24 Nays: Andera, Auch, Aylward, Baxter, Emery, Garcia, Gosch, Greenfield, Hughes, Hunt, Ismay,
25 Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Mulally, Nolz, Novstrup, Odenbach,
26 Overweg, Pourier, Randolph, Reder, Rice, Schaeftbauer, Schwans, Soye, Uhre-Balk, and
27 Speaker Hansen

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

30 **HB 1264:** FOR AN ACT ENTITLED, An Act to require the disclosure of an outstanding loan
31 balance on a campaign finance disclosure report.

32 Was read the second time.

33 The question being "Shall **HB 1264** pass?"

34 And the roll being called:

35 Yeas 38, Nays 32, Excused 0, Absent 0

1 Yeas: Arlint, Aylward, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Goodwin,
 2 Halverson, Healy, Heermann, Heinemann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner, Massie,
 3 Mortenson, Muckey, Mulder, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Roby, Roe,
 4 Shorma, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, and Wittman

5 Nays: Andera, Auch, Bahmuller, Baxter, Garcia, Gosch, Greenfield, Hughes, Hunt, Ismay,
 6 Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Moore, Mulally, Nolz, Novstrup,
 7 Odenbach, Overweg, Randolph, Reder, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, Vasgaard, and
 8 Speaker Hansen

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 **HB 1124:** FOR AN ACT ENTITLED, An Act to repeal a requirement regarding possession of a
 12 registry card.

13 Was read the second time.

14 The question being "Shall **HB 1124** pass?"

15 And the roll being called:

16 Yeas 43, Nays 27, Excused 0, Absent 0

17 Yeas: Andera, Auch, Bahmuller, Baxter, DeGroot, Fitzgerald, Garcia, Goodwin, Gosch,
 18 Greenfield, Halverson, Heinemann, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser,
 19 Ladner, Lems, Manhart, Massie, May, Mortenson, Mulally, Mulder, Nolz, Novstrup, Odenbach,
 20 Overweg, Randolph, Reder, Rice, Roe, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye, Vasgaard,
 21 Weems, and Speaker Hansen

22 Nays: Arlint, Aylward, Bathke, Czmowski, Derby, Duffy, Emery, Healy, Heermann, Jamison,
 23 Kassin, Kolbeck (Jack), Kull, Moore, Muckey, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch,
 24 Roby, Stevens, Uhre-Balk, Van Diepen, Walburg, Weisgram, and Wittman

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

27 **HB 1218:** FOR AN ACT ENTITLED, An Act to prohibit certain political subdivisions from
 28 imposing firearm restrictions on county, municipal, and township employees, officers, and
 29 volunteers.

30 Was read the second time.

31 Rep. Aylward moved that **HB 1218** be amended as follows:

1218F

33 On page 1, line 1, of the House Local Government Engrossed bill, delete " certain political
 34 subdivisions" and insert " counties, municipalities, and townships"

35 On page 1, line 2, of the House Local Government Engrossed bill, delete " county, municipal,
 36 and township" and insert " certain"

37 On page 1, line 10, of the House Local Government Engrossed bill, after "by" delete " an
 38 individual"

39 On page 1, line 11, of the House Local Government Engrossed bill, delete "Who " and insert
 40 "An individual who "

1 On page 1, line 12, of the House Local Government Engrossed bill, delete "Who is " and insert
 2 "An individual, other than a law enforcement officer, while "

3 On page 1, line 12, of the House Local Government Engrossed bill, delete "a " and insert "
 4 (a) A portion of a "

5 On page 1, line 12, of the House Local Government Engrossed bill, after "court" delete " or jail"

6 On page 1, line 12, of the House Local Government Engrossed bill, after "services" insert "; or
 7 (b) The secure area of any detention facility, a mental health crisis center, or a substance use
 8 disorder residential treatment facility"

9 On page 1, line 13, of the House Local Government Engrossed bill, delete "Other " and insert
 10 "An individual, other "

11 On page 1, line 15, of the House Local Government Engrossed bill, after "27A-10." insert "No
 12 injury or damage resulting from an individual possessing a concealed firearm may be construed to
 13 be an act of the county, and no liability may be imputed to the county.

14 "

15 On page 1, line 24, of the House Local Government Engrossed bill, after "by" delete " an
 16 individual"

17 On page 1, line 25, of the House Local Government Engrossed bill, delete "Who " and insert
 18 "An individual who "

19 On page 2, line 1, of the House Local Government Engrossed bill, delete "Who is " and insert
 20 "An individual, other than a law enforcement officer, while "

21 On page 2, line 1, of the House Local Government Engrossed bill, delete " a " and insert "
 22 (a) A portion of a "

23 On page 2, line 1, of the House Local Government Engrossed bill, after "court" delete " or jail"

24 On page 2, line 1, of the House Local Government Engrossed bill, after "or" insert "

25 (b) The secure area of any detention facility, a mental health crisis center, or a substance use
 26 disorder residential treatment facility; or"

27 On page 2, line 2, of the House Local Government Engrossed bill, delete "Other " and insert
 28 "An individual, other "

29 On page 2, line 4, of the House Local Government Engrossed bill, after "27A-10." insert "No
 30 injury or damage resulting from an individual possessing a concealed firearm may be construed to
 31 be an act of the township, and no liability may be imputed to the township.

32 "

33 On page 2, line 13, of the House Local Government Engrossed bill, after "by" delete " an
 34 individual"

35 On page 2, line 14, of the House Local Government Engrossed bill, delete "Who " and insert
 36 "An individual who "

1 On page 2, line 15, of the House Local Government Engrossed bill, delete "Who is " and insert
 2 "An individual, other than a law enforcement officer, while "

3 On page 2, line 15, of the House Local Government Engrossed bill, delete " a" and insert "
 4 (a) A portion of a"

5 On page 2, line 15, of the House Local Government Engrossed bill, after "court" delete " or jail"

6 On page 2, line 15, of the House Local Government Engrossed bill, after "or" insert "

7 (b) The secure area of any detention facility, a mental health crisis center, or a substance use
 8 disorder residential treatment facility; or"

9 On page 2, line 16, of the House Local Government Engrossed bill, delete "Other " and insert
 10 "An individual, other "

11 On page 2, line 18, of the House Local Government Engrossed bill, after "27A-10." insert "No
 12 injury or damage resulting from an individual possessing a concealed firearm may be construed to
 13 be an act of the municipality, and no liability may be imputed to the municipality.

14 "

15 Which motion prevailed.

16 The question being "Shall **HB 1218** pass as amended?"

17 And the roll being called:

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

19 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, Fitzgerald, Garcia, Goodwin, Gosch,
 20 Greenfield, Heinemann, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser,
 21 Ladner, Lems, Manhart, Massie, May, Mortenson, Mulally, Mulder, Nolz, Novstrup, Odenbach,
 22 Overweg, Peterson (Drew), Pourier, Randolph, Reder, Rehfeldt, Rice, Roby, Schaeftbauer, Schwans,
 23 Sjaarda, Soye, and Speaker Hansen

24 Nays: Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Halverson, Healy, Heermann,
 25 Jamison, Kolbeck (Jack), Kull, Moore, Muckey, Reimer, Reisch, Roe, Shorma, Stevens, Uhre-Balk,
 26 Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

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

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

31 Was read the second time.

32 The question being "Shall **HB 1164** pass?"

33 And the roll being called:

34 Yeas 45, Nays 25, Excused 0, Absent 0

1 Yeas: Andera, Arlint, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald,
 2 Goodwin, Greenfield, Halverson, Healy, Heermann, Jamison, Jorgenson, Kassin, Kolbeck (Jack),
 3 Kull, Ladner, Massie, Moore, Mortenson, Muckey, Mulder, Novstrup, Peterson (Drew), Pourier,
 4 Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schwans, Shorma, Stevens, Uhre-Balk, Van Diepen,
 5 Vasgaard, Walburg, Weems, Weisgram, and Wittman

6 Nays: Auch, Aylward, Baxter, Garcia, Gosch, Heinemann, Hughes, Hunt, Ismay, Jensen (Phil),
 7 Jordan, Kayser, Lems, Manhart, May, Mulally, Nolz, Odenbach, Overweg, Randolph, Reder,
 8 Schaeftbauer, Sjaarda, Soye, and Speaker Hansen

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 **SIGNING OF BILLS**

12 The Speaker publicly read the title to

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

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

17 **SB 47:** FOR AN ACT ENTITLED, An Act to clarify eligibility for licensure as a video lottery
 18 operator.

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

20 Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at
 21 5:46 p.m. the House adjourned.

22 Patricia Miller, Chief Clerk

