

# *JOURNAL OF THE HOUSE*

## *ONE HUNDREDTH SESSION*

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TWENTY-SIXTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Monday, February 24, 2025

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

The prayer was offered by the Chaplain, Father Schaeffbauer, followed by the Pledge of Allegiance led by House pages Megan Buck and Melody Gilkerson.

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 25th 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 the following named pages:

2 Megan Buck, Melody Gilkerson, Jessica Hadrick, Reese Hadrick, Rachel Heinemann,  
3 Rebecca Heinemann, Allie Hermsen, Jonathan Koel, Patrick Kralicek, Lucy Moon, Ember Pease,  
4 Hudson Shaffer, Alexander Smith.

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

6 **REPORTS OF STANDING COMMITTEES**

7 MR. SPEAKER:

8 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and  
9 Enrolling has carefully compared **HB 1042 and 1095** and finds the same correctly enrolled.

10 Respectfully submitted,  
11 Jon Hansen, Chair

12 MR. SPEAKER:

13 The Committee on Legislative Procedure respectfully reports that **HB 1053 and 1118** were  
14 delivered to his Excellency, the Governor, for his approval at 10:10 a.m., February 24, 2025.

15 Respectfully submitted,  
16 Jon Hansen, Chair

17 MR. SPEAKER:

18 The Committee on House State Affairs respectfully reports that it has had under consideration  
19 **HB 1186** and returns the same with the recommendation that said bill do pass.

20 Also MR. SPEAKER:

21 The Committee on House State Affairs respectfully reports that it has had under consideration  
22 **HJR 5007** which was tabled.

23 Respectfully submitted,  
24 Scott Odenbach, Chair

25 MR. SPEAKER:

26 The Committee on House State Affairs respectfully reports that it has had under consideration  
27 **HB 1134, and HJR 5005** which were tabled.

28 Also MR. SPEAKER:

29 The Committee on House State Affairs respectfully reports that it has had under consideration  
30 **HB 1135, 1149, 1150, and 1204** and returns the same with the recommendation that said bills  
31 do pass.

32 Also MR. SPEAKER:

33 The Committee on House State Affairs respectfully reports that it has had under consideration  
34 **HB 1242** and returns the same with the recommendation that said bill be amended as follows:

1 1242A

2 On page 1, line 1, of the Introduced bill, delete " or" and insert " campaign committee, a"

3 On page 1, line 2, of the Introduced bill, after "political " insert "action "

4 On page 1, line 2, of the Introduced bill, after "committee" insert ", or a political party"

5 On page 1, line 7, of the Introduced bill, delete " political committee" and insert " candidate  
6 campaign committee, political action committee, or political party"

7 And that as so amended, **HB 1242** do pass.

8 Respectfully submitted,  
9 Scott Odenbach, Chair

10 MR. SPEAKER:

11 The House Committee on Appropriations respectfully reports that it has had under  
12 consideration **HB 1005** and returns the same with the recommendation that said bill be amended  
13 as follows:

14 1005A

15 On page 1, line 12, of the Introduced bill, delete " Department of Social Services" and insert "  
16 department"

17 On page 1, line 14, of the Introduced bill, delete " Department of Social Services" and insert "  
18 department"

19 On page 1, line 18, of the Introduced bill, after "Services. " insert "The department shall  
20 contribute \$1,000 towards the cost of each home study required under this section. "

21 On page 1, line 18, of the Introduced bill, remove the overstrikes from "The necessary funding  
22 must be budgeted and expended through the general appropriations act, pursuant to chapter 4-7.  
23 The Department "

24 On page 1, line 19, of the Introduced bill, delete " Department " and insert " department "

25 On page 1, line 19, of the Introduced bill, remove the overstrikes from "shall make rules  
26 pursuant to chapter 1-26 to establish a cap on the cost to be reimbursed."

27 And that as so amended, **HB 1005** do pass.

28 Also MR. SPEAKER:

29 The House Committee on Appropriations respectfully reports that it has had under  
30 consideration **HB 1037** and returns the same with the recommendation that said bill be amended  
31 as follows:

32 1037B

33 On page 1, line 1, of the Introduced bill, delete "repeal" and insert " amend"

34 On page 2, after line 10, of the Introduced bill, insert: "

35 **Section 2. Section 1 of this Act expires on July 1, 2028.**"

1 And that as so amended, **HB 1037** do pass.

2 Also MR. SPEAKER:

3 The House Committee on Appropriations respectfully reports that it has had under  
4 consideration **HB 1039** and returns the same with the recommendation that said bill be amended  
5 as follows:

6 1039C

7 On page 1, line 1, of the Introduced bill, delete "repeal " and insert "amend "

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

9 **"Section 1. That § 13-1-54 be AMENDED:**

10 **13-1-54.** The Department of Education may establish a program to reimburse public school  
11 counselors for the fees associated with the application and examination process necessary to earn  
12 the credential of National Certified School Counselor from the National Board for Counselor  
13 Certification. The program may not accept any new people into the program after July 1, 2025. The  
14 reimbursement shall include any federal funds that may be available through a candidate subsidy  
15 program. The reimbursement shall be paid upon receipt of documentation that the public school  
16 counselor successfully completed all of the certification requirements which took effect on January  
17 1, 2004, and was awarded the credential.

18 In addition to the reimbursement provided in this section, a counselor who is employed by a  
19 school district and who has earned the credential of National Certified School Counselor from the  
20 National Board for Counselor Certification may receive a payment of two thousand dollars per year.  
21 The stipend shall be paid as follows:

22 (1) One thousand dollars from the Department of Education; and

23 (2) One thousand dollars from the school district that employs the counselor.

24 The department is not required to pay a teacher a stipend pursuant to this section unless the  
25 school district employing the counselor opts to pay a stipend.

26 **Section 2. That § 13-42-26 be AMENDED:**

27 **13-42-26.** The Department of Education shall establish a program to reimburse public school  
28 teachers for the application and processing fee for the National Board for Professional Teaching  
29 Standards certification process. The program may not accept any new people into the program after  
30 July 1, 2025. The reimbursement shall include any federal funds that may be available through a  
31 candidate subsidy program. The reimbursement shall be paid upon receipt of documentation that  
32 the teacher successfully completed all certification requirements and was awarded the credential.

33 In addition to the reimbursement provided pursuant to this section, a teacher who teaches in  
34 a public school and who has obtained certification by the National Board for Professional Teaching  
35 Standards shall receive a payment of two thousand dollars per year for five years. The stipend shall  
36 be paid as follows:

37 (1) One thousand dollars from the Department of Education;

38 (2) One thousand dollars from the school district where the teacher is employed.

39 Once the first five years is complete, the school district that employs the teacher may opt to  
40 continue payments during the period of the next five years. If, during that period, the school district  
41 pays the teacher a stipend, the Department of Education shall also pay the teacher a stipend equal  
42 to the amount offered by the school district, up to a maximum of one thousand dollars. However,

1 the department is not required to pay a teacher a stipend pursuant to this section during years six  
2 to ten unless the school district employing the teacher opts to pay a stipend.

3 The Board of Education Standards shall adopt rules, pursuant to chapter 1-26, to establish  
4 guidelines necessary to implement the program."

5 And that as so amended, **HB 1039** do pass.

6 Also MR. SPEAKER:

7 The House Committee on Appropriations respectfully reports that it has had under  
8 consideration **HB 1013, 1038, and 1040** and returns the same with the recommendation that said  
9 bills do pass.

10 Also MR. SPEAKER:

11 The House Committee on Appropriations respectfully reports that it has had under  
12 consideration **HB 1006, 1081, 1089, 1108, 1159, 1198, and 1206** which were deferred to the  
13 41st Legislative Day.

14 Respectfully submitted,  
15 Mike Derby, Chair

16 MR. SPEAKER:

17 The Committee on House Judiciary respectfully reports that it has had under consideration  
18 **HB 1267, and HCR 6012** which were 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 **HCR 6011 and 6013, and SB 111** and returns the same with the recommendation that said bill  
22 and resolutions do pass, and having been certified as uncontested, be placed on the consent  
23 calendar.

24 Respectfully submitted,  
25 Mike Stevens, Chair

26 MR. SPEAKER:

27 The Committee on House Commerce and Energy respectfully reports that it has had under  
28 consideration **HB 1202** which was deferred to the 41st Legislative Day.

29 Also MR. SPEAKER:

30 The Committee on House Commerce and Energy respectfully reports that it has had under  
31 consideration **HB 1228** and returns the same with the recommendation that said bill do pass.

32 Also MR. SPEAKER:

33 The Committee on House Commerce and Energy respectfully reports that it has had under  
34 consideration **HCR 6006** which was tabled.

35 Respectfully submitted,  
36 Karla J. Lems, Chair

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**MESSAGES FROM THE SENATE**

2 MR. SPEAKER:

3 I have the honor to return herewith **HB 1042 and 1095** which have passed the Senate without  
4 change.

5 Also MR. SPEAKER:

6 I have the honor to return herewith **HCR 6002** in which the Senate has concurred.

7 Also MR. SPEAKER:

8 I have the honor to transmit herewith **SB 154, 172, and 202** which have passed the Senate  
9 and your favorable consideration is respectfully requested.

10

11

Respectfully,  
Peggy Laurenz, Secretary

12

**MOTIONS AND RESOLUTIONS**13 Rep. Odenbach moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on  
14 Tuesday, February 25, 2025, the 27<sup>th</sup> legislative day.

15 Which motion prevailed.

16 The Speaker appointed Representatives Overweg (Chair), Lems, and Duffy as a committee of  
17 three on the part of the House to meet with a like committee on the part of the Senate to adjust  
18 the differences between the two houses on **SB 25**.19 Friday, Rep. Rehfeldt announced her intention to reconsider the vote by which **HB 1025** lost.20 Rep. Rehfeldt moved that the House do now reconsider the vote by which **HB 1025** lost.21 The question being on Rep. Rehfeldt's motion to reconsider the vote by which **HB 1025** lost.

22 And the roll being called:

23 Yeas 35, Nays 35, Excused 0, Absent 0

24 Yeas: Arlint, Bahmuller, Bathke, Czmowski, Derby, Duffy, Fitzgerald, Goodwin, Greenfield,  
25 Halverson, Healy, Heermann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Mortenson,  
26 Muckey, Mulder, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens,  
27 Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, and Wittman28 Nays: Andera, Auch, Aylward, Baxter, DeGroot, Emery, Garcia, Gosch, Heinemann, Hughes,  
29 Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Moore, Mulally, Nolz,  
30 Novstrup, Odenbach, Overweg, Pourier, Randolph, Reder, Rice, Schaeftbauer, Schwans, Sjaarda,  
31 Soye, Vasgaard, and Speaker Hansen32 So the motion not having received an affirmative vote of a majority of the members-elect, the  
33 Speaker declared the motion lost.

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**CONSIDERATION OF REPORTS OF COMMITTEES**

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

3

House Appropriations on **HB 1016** as found on page 352 of the House Journal; also

4

Commerce and Energy on **HB 1085 and 1249** as found on page 353 of the House Journal; also

5

Joint Appropriations on **HB 1114 and 1131** as found on page 357 of the House Journal; also

6

Judiciary on **HB 1115** as found on page 356 of the House Journal; and

7

State Affairs on **HB 1235** as found on page 352 of the House Journal be adopted.

8

Which motion prevailed and the reports were adopted.

9

Rep. Reder moved that **HB 1076** be placed on today's calendar pursuant to JR 6F-6.

10

The question being on Rep. Reder's motion that **HB 1076** be placed on today's calendar pursuant to JR 6F-6.

11

12

And the roll being called:

13

Yeas 30, Nays 40, Excused 0, Absent 0

14

Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Gosch, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Kayser, Lems, Manhart, May, Moore, Mulally, Nolz, Novstrup, Odenbach, Overweg, Randolph, Reder, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

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

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

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

25

**SB 154:** FOR AN ACT ENTITLED, An Act to prohibit pharmaceutical manufacturers from interfering in contracts between 340B entities and pharmacies and to provide a penalty therefor.

26

27

**SB 172:** FOR AN ACT ENTITLED, An Act to provide a rebuttable presumption in favor of joint physical custody of a minor child.

28

29

**SB 202:** FOR AN ACT ENTITLED, An Act to create the water infrastructure development fund.

30

Were read the first time.

31

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

32

Rep. Mulally requested that **HB 1083** be removed from the Consent Calendar.

1 Rep. Jordan requested that **SB 93** be removed from the Consent Calendar.

2 **HB 1230**: FOR AN ACT ENTITLED, An Act to revise provisions related to, and establish the  
3 crime of, unauthorized distribution of fentanyl and provide a penalty therefor.

4 Was read the second time.

5 The question being "Shall **HB 1230** pass?"

6 And the roll being called:

7 Yeas 66, Nays 4, Excused 0, Absent 0

8 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby,  
9 Duffy, Emery, Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann,  
10 Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser,  
11 Kolbeck (Jack), Kull, Ladner, Lems, Manhart, Massie, May, Moore, Mortenson, Mulally, Mulder, Nolz,  
12 Novstrup, Odenbach, Overweg, Peterson (Drew), Randolph, Reder, Rehfeldt, Reimer, Reisch, Rice,  
13 Roby, Roe, Schaefbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Van Diepen, Vasgaard,  
14 Walburg, Weems, Weisgram, and Speaker Hansen

15 Nays: Muckey, Pourier, Uhre-Balk, and Wittman

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

## 18 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

19 **HB 1200**: FOR AN ACT ENTITLED, An Act to permit merit pay as a component of teacher  
20 compensation.

21 Having had its second reading was up for consideration and final passage.

22 The question now being on Rep. May's pending motion to amend **HB 1200** as found on page  
23 361 of the House Journal.

24 Rep. Soye moved that the pending amendment to **HB 1200** be laid on the table.

25 Which motion prevailed.

26 Rep. May moved that **HB 1200** be amended as follows:

27 1200E

28 On page 1, line 5, of the House Education Engrossed bill, delete " is entitled to" and insert "  
29 may"

30 Which motion prevailed.

31 The question being "Shall **HB 1200** pass as amended?"

32 And the roll being called:

33 Yeas 61, Nays 8, Excused 1, Absent 0



1 Yeas: Andera, Arlint, Auch, Bahmuller, Baxter, Czmowski, Derby, Duffy, Emery, Fitzgerald,  
2 Garcia, Goodwin, Gosch, Greenfield, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison,  
3 Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kolbeck (Jack), 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, Van Diepen, Vasgaard, Walburg, and Speaker Hansen

7 Nays: Bathke, DeGroot, Halverson, Stevens, Uhre-Balk, Weems, Weisgram, and Wittman

8 Excused: Aylward

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 1213:** FOR AN ACT ENTITLED, An Act to increase the maximum amount allowable for the  
12 livestock ownership inspection fee and to declare an emergency.

13 Was read the second time.

14 The question being "Shall **HB 1213** pass as amended?"

15 And the roll being called:

16 Yeas 60, Nays 10, Excused 0, Absent 0

17 Yeas: Andera, Arlint, Auch, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery,  
18 Fitzgerald, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Jamison,  
19 Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Manhart, Massie, Moore, Mortenson,  
20 Muckey, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Randolph, Reder,  
21 Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaeftbauer, Shorma, Sjaarda, Soye, Stevens,  
22 Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

23 Nays: Aylward, Baxter, Garcia, Hunt, Ismay, Jensen (Phil), Jordan, May, Pourier, and Schwans

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

26 **HB 1036:** FOR AN ACT ENTITLED, An Act to establish a minimum combined balance of the  
27 budget reserve fund and general revenue replacement fund.

28 Was read the second time.

29 The question being "Shall **HB 1036** pass?"

30 And the roll being called:

31 Yeas 53, Nays 17, Excused 0, Absent 0

32 Yeas: Arlint, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Garcia,  
33 Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Jamison,  
34 Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Massie, May, Moore, Mortenson,  
35 Muckey, Mulder, Novstrup, Odenbach, Overweg, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby,  
36 Roe, Schwans, Shorma, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems,  
37 Weisgram, Wittman, and Speaker Hansen

38 Nays: Andera, Auch, Aylward, Baxter, Hunt, Ismay, Jensen (Phil), Jordan, Manhart, Mulally,  
39 Nolz, Pourier, Randolph, Reder, Rice, Schaeftbauer, and Soye

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

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

5 Was read the second time.

6 The question being "Shall **HB 1167** pass?"

7 And the roll being called:

8 Yeas 56, Nays 14, Excused 0, Absent 0

9 Yeas: Arlint, Auch, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy, Emery,  
10 Fitzgerald, Garcia, Goodwin, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt,  
11 Ismay, Jamison, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Massie, May, Moore,  
12 Mortenson, Mulder, Nolz, Odenbach, Overweg, Peterson (Drew), Rehfeldt, Reimer, Reisch, Rice,  
13 Roby, Roe, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Van Diepen, Vasgaard,  
14 Walburg, Weems, Weisgram, and Speaker Hansen

15 Nays: Andera, Aylward, Gosch, Jensen (Phil), Jordan, Manhart, Muckey, Mulally, Novstrup,  
16 Pourier, Randolph, Reder, Uhre-Balk, and Wittman

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

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

21 Was read the second time.

22 The question being "Shall **HB 1168** pass?"

23 And the roll being called:

24 Yeas 58, Nays 12, Excused 0, Absent 0

25 Yeas: Arlint, Auch, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy, Emery,  
26 Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes,  
27 Hunt, Ismay, Jamison, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Massie, May,  
28 Moore, Mortenson, Muckey, Mulder, Nolz, Odenbach, Overweg, Peterson (Drew), Rehfeldt, Reimer,  
29 Reisch, Rice, Roby, Roe, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Van Diepen,  
30 Vasgaard, Walburg, Weems, Weisgram, and Speaker Hansen

31 Nays: Andera, Aylward, Jensen (Phil), Jordan, Manhart, Mulally, Novstrup, Pourier, Randolph,  
32 Reder, Uhre-Balk, and Wittman

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

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

37 Was read the second time.

1 The question being "Shall **HB 1170** pass?"

2 And the roll being called:

3 Yeas 56, Nays 14, Excused 0, Absent 0

4 Yeas: Arlint, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald,  
5 Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt,  
6 Ismay, Jamison, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Massie, May, Moore,  
7 Mortenson, Mulder, Nolz, Odenbach, Overweg, Peterson (Drew), Rehfeldt, Reimer, Reisch, Rice,  
8 Roby, Roe, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Van Diepen, Vasgaard,  
9 Walburg, Weems, Weisgram, and Speaker Hansen

10 Nays: Andera, Auch, Aylward, Jensen (Phil), Jordan, Manhart, Muckey, Mulally, Novstrup,  
11 Pourier, Randolph, Reder, Uhre-Balk, and Wittman

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

14 **HB 1026:** FOR AN ACT ENTITLED, An Act to make an appropriation for the replacement of the  
15 Richmond Lake dam and spillway, for the general maintenance and repair of other state-owned  
16 dams, and to declare an emergency.

17 Was read the second time.

18 The question being "Shall **HB 1026** pass?"

19 And the roll being called:

20 Yeas 70, Nays 0, Excused 0, Absent 0

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

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

30 **HB 1092:** FOR AN ACT ENTITLED, An Act to make an appropriation for a student teacher  
31 stipend grant program.

32 Was read the second time.

33 The question being "Shall **HB 1092** pass as amended?"

34 And the roll being called:

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

1 Yeas: Arlint, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald,  
2 Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Jamison, Jensen  
3 (Phil), Jordan, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Massie, Moore,  
4 Mortenson, Muckey, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier,  
5 Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaeffbauer, Schwans, Shorma, Sjaarda, Soye, Stevens,  
6 Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

7 Nays: Andera, Auch, Aylward, Hughes, Hunt, Ismay, Manhart, May, Randolph, Reder, and  
8 Speaker Hansen

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

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

12 **SB 65:** FOR AN ACT ENTITLED, An Act to provide for the sale of certain real estate located in  
13 Pennington County and to provide for the deposit of the proceeds.

14 Was read the second time.

15 The question being "Shall **SB 65** pass as amended?"

16 And the roll being called:

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

18 Yeas: Andera, Arlint, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald,  
19 Goodwin, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Jamison, Kassin,  
20 Kayser, Kolbeck (Jack), Kull, Ladner, Massie, May, Moore, Mortenson, Muckey, Mulder, Nolz,  
21 Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Roby, Roe,  
22 Shorma, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and  
23 Speaker Hansen

24 Nays: Auch, Aylward, Baxter, Garcia, Gosch, Ismay, Jensen (Phil), Jordan, Jorgenson, Lems,  
25 Manhart, Mulally, Randolph, Reder, Rice, Schaeffbauer, Schwans, Soye, and Vasgaard

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

28 **SB 109:** FOR AN ACT ENTITLED, An Act to permit a school district to implement a new or  
29 revised section 504 plan, individualized family service plan, or individualized education program for  
30 a student who is the child of an active-duty member of the United States armed forces.

31 Was read the second time.

32 The question being "Shall **SB 109** pass as amended?"

33 And the roll being called:

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

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

1 Nays: Aylward, Jorgenson, Kolbeck (Jack), May, Odenbach, Overweg, Soye, and Wittman

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 71**: FOR AN ACT ENTITLED, An Act to revise provisions pertaining to the compulsory age  
5 for school attendance.

6 Was read the second time.

7 The question being "Shall **SB 71** pass as amended?"

8 And the roll being called:

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

10 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby,  
11 Duffy, Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Heermann, Heinemann, Hughes,  
12 Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kull, Ladner, Lems,  
13 Manhart, Massie, May, Mortenson, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg,  
14 Peterson (Drew), Randolph, Reder, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaeffbauer,  
15 Schwans, Shorma, Sjaarda, Soye, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and  
16 Speaker Hansen

17 Nays: Emery, Healy, Kolbeck (Jack), Moore, Muckey, Pourier, Stevens, Uhre-Balk, and Wittman

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 **SIGNING OF BILLS**

21 The Speaker publicly read the title to

22 **HB 1042**: FOR AN ACT ENTITLED, An Act to make an appropriation for the construction of  
23 historical exhibits at the Cultural Heritage Center.

24 **HB 1095**: FOR AN ACT ENTITLED, An Act to extend the area in which a director for an irrigation  
25 district may reside.

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

## 27 **COMMEMORATIONS**

28 **HC 8014**: A LEGISLATIVE COMMEMORATION, Honoring the outstanding achievements of Pete  
29 Bolzer, Chief of the Brookings Fire Department, and congratulating him on his retirement.

30 Introduced by: **Representative** Heermann

31 Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at  
32 3:28 p.m. the House adjourned.

33

Patricia Miller, Chief Clerk

