

JOURNAL OF THE HOUSE

ONE HUNDREDTH SESSION

THIRTIETH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Monday, March 03, 2025

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

The prayer was offered by the Chaplain, Father David Hussey, followed by the Pledge of Allegiance led by House pages Allie Hermsen and Jonathan Koel.

Roll Call: All members present except Rep. Randolph 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 29th day.

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

And we hereby move the adoption of the report.

Respectfully submitted,
Jon Hansen, Chair

Which motion prevailed.

1

REPORTS OF STANDING COMMITTEES

2 MR. SPEAKER:

3 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
4 Enrolling has carefully compared **HB 1001, 1024, 1026, 1051, 1067, 1092, 1093, 1097, 1141,**
5 **1157, 1194, and 1265** and finds the same correctly enrolled.

6
7Respectfully submitted,
Jon Hansen, Chair

8 MR. SPEAKER:

9 The Committee on Legislative Procedure respectfully reports that **HB 1099, 1144, and 1189**
10 were delivered to his Excellency, the Governor, for his approval at 9:50 a.m., March 3, 2025.

11
12Respectfully submitted,
Jon Hansen, Chair

13 MR. SPEAKER:

14 The Committee on House State Affairs respectfully reports that it has had under consideration
15 **SB 91** and returns the same with the recommendation that said bill be amended as follows:

16

91C

17 On page 4, line 19, of the Senate State Affairs Engrossed bill, after "title" delete " and
18 explanation"

19 On page 4, line 19, of the Senate State Affairs Engrossed bill, after "law" delete " as prepared
20 by the attorney general, pursuant to § 13-13-9"

21 On page 4, line 24, of the Senate State Affairs Engrossed bill, after "font;

22 (4)" delete "Contain the fiscal note, if any, obtained pursuant to § 2-9-32; in fourteen-point
23 font;"

24 On page 4, line 26, of the Senate State Affairs Engrossed bill, after "font;" delete "(5) "

25 On page 4, line 29, of the Senate State Affairs Engrossed bill, remove the overstrikes from
26 "(5)"

27 On page 4, line 29, of the Senate State Affairs Engrossed bill, after "and

28 (5)" delete "(6)"

29

91D

30 On page 4, line 4, of the Senate State Affairs Engrossed bill, delete " May" and insert "
31 February"

32 And that as so amended, **SB 91** do pass, and having been certified as uncontested, be placed
33 on the consent calendar.

1 Also MR. SPEAKER:

2 The Committee on House State Affairs respectfully reports that it has had under consideration
3 **SB 92, 145, and 185** and returns the same with the recommendation that said bills do pass, and
4 having been certified as uncontested, be placed on the consent calendar.

5 Also MR. SPEAKER:

6 The Committee on House State Affairs respectfully reports that it has had under consideration
7 **SB 94** which was deferred to the 41st Legislative Day.

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 **SB 24, 27, and 31** and returns the same with the recommendation that said bills do
13 pass.

14 Respectfully submitted,
15 Mike Derby, Chair

16 MR. SPEAKER:

17 The Committee on House Commerce and Energy respectfully reports that it has had under
18 consideration **SB 26** with the recommendation that said bill be referred to the House Committee on
19 Appropriations with a Do Pass recommendation.

20 Also MR. SPEAKER:

21 The Committee on House Commerce and Energy respectfully reports that it has had under
22 consideration **SB 28** with the recommendation that said bill be referred to the House Committee on
23 Appropriations with a Do Pass recommendation.

24 Also MR. SPEAKER:

25 The Committee on House Commerce and Energy respectfully reports that it has had under
26 consideration **SB 157** which was deferred to the 41st Legislative Day.

27 Also MR. SPEAKER:

28 The Committee on House Commerce and Energy respectfully reports that it has had under
29 consideration **SB 171** and returns the same with the recommendation that said bill do pass, and
30 having been certified as uncontested, be placed on the consent calendar.

31 Respectfully submitted,
32 Jessica Bahmuller, Vice-Chair

33 MR. SPEAKER:

34 The Committee on House Judiciary respectfully reports that it has had under consideration
35 **SB 57 and 166** which were deferred to the 41st Legislative Day.

1 Also MR. SPEAKER:

2 The Committee on House Judiciary respectfully reports that it has had under consideration
3 **SB 59** and returns the same with the recommendation that said bill do pass.

4 Also MR. SPEAKER:

5 The Committee on House Judiciary respectfully reports that it has had under consideration
6 **SB 58** and returns the same with the recommendation that said bill do pass, and having been
7 certified as uncontested, be placed on the consent calendar.

8 Also MR. SPEAKER:

9 The Committee on House Judiciary respectfully reports that it has had under consideration
10 **SB 175** and returns the same with the recommendation that said bill be amended as follows:

11 175D

12 On page 7, line 14, of the Senate Engrossed bill, after "a" delete " consumer or the consumer's"

13 On page 7, line 14, of the Senate Engrossed bill, after "representative" insert " for a
14 corporation, limited liability company, partnership, or trust"

15 On page 7, line 28, of the Senate Engrossed bill, after "provided" insert " to a corporation,
16 limited liability company, partnership, or trust"

17 And that as so amended, **SB 175** do pass.

18 Respectfully submitted,
19 Mike Stevens, Chair

20 **MESSAGES FROM THE SENATE**

21 MR. SPEAKER:

22 I have the honor to return herewith **HB 1001, 1024, 1026, 1051, 1067, 1092, 1097, 1141,**
23 **1157, 1194, and 1265** which have passed the Senate without change.

24 Also MR. SPEAKER:

25 I have the honor to return herewith **HB 1071** which has been amended by the Senate and
26 your concurrence in the amendments is respectfully requested.

27 Also MR. SPEAKER:

28 I have the honor to inform your honorable body that **HB 1261** was lost on second reading and
29 final passage.

30 Respectfully,
31 Peggy Laurenz, Secretary

1

MOTIONS AND RESOLUTIONS

2

Rep. Odenbach moved that **SB 131** be deferred to Thursday, March 6, 2025, the 33rd legislative day.

3

4

Which motion prevailed.

5

Thursday, Rep. Heinemann announced his intention to reconsider the vote by which **SB 208** lost.

6

Rep. Heinemann moved that the House do now reconsider the vote by which **SB 208** lost.

7

The question being on Rep. Heinemann's motion to reconsider the vote by which **SB 208** lost.

8

And the roll being called:

9

Yeas 29, Nays 39, Excused 2, Absent 0

10

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

11

12

13

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

14

15

16

17

Excused: Pourier and Randolph

18

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

19

20

CONSIDERATION OF REPORTS OF COMMITTEES

21

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

22

Joint Appropriations on **HB 1041** as found on page 419 of the House Journal; also

23

State Affairs on **SB 75** as found on page 418 of the House Journal and **SB 176** as found on page 419 of the House Journal be adopted.

24

25

Which motion prevailed and the reports were adopted.

26

CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES

27

Rep. Overweg moved that the report of the Conference Committee on **SB 25** as found on page 422 of the House Journal be adopted.

28

29

The question being on Rep. Overweg's motion that the report of the Conference Committee on **SB 25** be adopted.

30

31

And the roll being called:

32

Yeas 68, Nays 1, Excused 1, Absent 0

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

8 Nays: Mulally

9 Excused: Randolph

10 So the motion having received an affirmative vote of a majority of the members-elect, the
11 Speaker declared the motion carried and the report was adopted.

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

13 The following bills were read on February 25, 2025, and today the Speaker assigned these bills
14 to committee:

15 **SB 136, SB 137, and SB 138** were referred to the Committee on State Affairs.

16 The following bill was read on February 26, 2025, and today the Speaker assigned this bill to
17 committee:

18 **SB 152** was referred to the Committee on State Affairs.

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

20 **SB 15:** FOR AN ACT ENTITLED, An Act to expand the policy advisory committee for animal
21 damage control.

22 **SB 66:** FOR AN ACT ENTITLED, An Act to revise certain provisions related to capital
23 improvements of state buildings.

24 **SB 76:** FOR AN ACT ENTITLED, An Act to repeal reporting and testifying requirements to the
25 committees on health and human services regarding nursing facilities and long-term healthcare
26 needs.

27 **SB 77:** FOR AN ACT ENTITLED, An Act to update terminology related to ambulance operators.

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

30 **SB 80:** FOR AN ACT ENTITLED, An Act to revise provisions regarding students and trainees
31 engaged in the practice of funeral service.

32 **SB 110:** FOR AN ACT ENTITLED, An Act to revise licensure and supervision requirements for
33 physical therapists and physical therapist assistants.

34 **SB 135:** FOR AN ACT ENTITLED, An Act to exempt a motor vehicle insurer from a certain title
35 fee.

36 **SB 174:** FOR AN ACT ENTITLED, An Act to include certain types of vehicles in the abandoned
37 titling process.

1 **SB 179:** FOR AN ACT ENTITLED, An Act to modify requirements for off-road vehicle dealers at
2 special events.

3 Were read the second time.

4 The question being "Shall **SB 66, 110, 135, and 179** pass as amended, and **SB 15, 76, 77,**
5 **78, 80, and 174** pass?"

6 And the roll being called:

7 Yeas 68, Nays 1, Excused 1, 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, Massie, May, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz,
12 Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Reder, Rehfeldt, Reimer, Reisch, Rice,
13 Roby, Roe, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen,
14 Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

15 Nays: Manhart

16 Excused: Randolph

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

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

20 **HB 1041:** FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions pertaining to
21 the state library and State Library Board and to provide an appropriation therefor.

22 Was read the second time.

23 Rep. Jorgenson moved that **HB 1041** be amended as follows:

24 1041C

25 On page 1, line 2, of the Joint Appropriations Engrossed bill, after "Board" delete " and to
26 provide an appropriation therefor"

27 On page 4, line 21, of the Joint Appropriations Engrossed bill, after "chapter." delete "Section
28 14. There is appropriated \$100 from the general fund, to the Department of Education, for
29 operations of the State Library."

30 On page 4, line 23, of the Joint Appropriations Engrossed bill, after "Library." delete "Section
31 15. The secretary of the Department of Education shall approve vouchers and the state auditor shall
32 draw warrants to pay expenditures authorized by this Act."

33 On page 4, line 25, of the Joint Appropriations Engrossed bill, after "Act." delete "Section 16.
34 Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance
35 with the procedures prescribed in chapter 4-8."

36 On page 4, line 27, of the Joint Appropriations Engrossed bill, after "4-8." delete "Section 17.
37 This Act is effective beginning June 30, 2025."

38 Which motion prevailed.

1 The question being "Shall **HB 1041** pass as amended?"

2 And the roll being called:

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

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

11 Nays: Bathke, Emery, Healy, Mortenson, Muckey, Roby, Uhre-Balk, and Wittman

12 Excused: Randolph

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

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

16 **SB 37:** FOR AN ACT ENTITLED, An Act to revise and repeal provisions related to the 911
17 emergency surcharge and the 911 Coordination Board.

18 Was read the second time.

19 The question being "Shall **SB 37** pass?"

20 And the roll being called:

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

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

29 Excused: Randolph

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

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

34 Was read the second time.

35 Rep. Reisch moved that **SB 62** be amended as follows:

36

62H

- 1 On page 2, line 16, of the Senate Judiciary Engrossed bill, after "agency;" insert " and"
- 2 On page 2, line 18, of the Senate Judiciary Engrossed bill, after "employees" delete ";
- 3 (12) "Supervisory authority," the power to, on a regular basis, and with use of independent
4 judgment:
- 5 (a) Hire, lay off, promote, discharge, assign, reward, or discipline another state employee;
- 6 (b) Address, resolve, or review the grievance of another state employee; or
- 7 (c) Effectively recommend any action provided in subsection (a) or (b) of this subdivision"
- 8 On page 3, line 5, of the Senate Judiciary Engrossed bill, delete " 6 felony" and insert " 1
9 misdemeanor"
- 10 On page 3, line 7, of the Senate Judiciary Engrossed bill, delete " 6 felony" and insert " 1
11 misdemeanor"
- 12 Rep. Soye requested a roll call vote.
- 13 Which request was supported.
- 14 The question being on Rep. Reisch's motion that **SB 62** be amended.
- 15 And the roll being called:
- 16 Yeas 38, Nays 31, Excused 1, Absent 0
- 17 Yeas: Arlint, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Goodwin,
18 Halverson, Healy, Heermann, Jorgenson, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Moore,
19 Mortenson, Muckey, Mulder, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Roby, Roe,
20 Shorma, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman
- 21 Nays: Andera, Auch, Aylward, Baxter, Fitzgerald, Garcia, Gosch, Greenfield, Heinemann,
22 Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Kayser, Lems, Manhart, May, Mulally, Nolz,
23 Novstrup, Odenbach, Overweg, Reder, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, and
24 Speaker Hansen
- 25 Excused: Randolph
- 26 So the motion having received an affirmative vote of a majority of the members present, the
27 Speaker declared the motion prevailed.
- 28 The question being "Shall **SB 62** pass as amended?"
- 29 And the roll being called:
- 30 Yeas 66, Nays 3, Excused 1, Absent 0
- 31 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy,
32 Emery, Fitzgerald, Garcia, Goodwin, Gosch, Halverson, Healy, Heermann, Heinemann, Hughes,
33 Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull,
34 Ladner, Lems, Manhart, Massie, May, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz, Novstrup,
35 Odenbach, Overweg, Peterson (Drew), Pourier, Reder, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe,
36 Schaeftbauer, Schwans, Shorma, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg,
37 Weems, Weisgram, Wittman, and Speaker Hansen
- 38 Nays: Baxter, Greenfield, and Soye

1 Excused: Randolph

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 61:** FOR AN ACT ENTITLED, An Act to modify the duties and administration of the State
5 Board of Internal Control.

6 Was read the second time.

7 Rep. Heinemann moved that **SB 61** be amended as follows:

8 61G

9 On page 1, line 1, of the House State Affairs Engrossed bill, delete " duties and administration"
10 and insert " authority"

11 On page 1, line 1, after "the" delete " State"

12 On page 1, line 1, delete " Internal Control" and insert " Internal Controls"

13 On the House State Affairs Engrossed bill, delete everything after the enacting clause and
14 insert:

15 **"Section 1. That § 1-56-1 be AMENDED:**

16 **1-56-1.** Terms used in this chapter mean:

17 (1) "Board," the State Board of Internal Control;

18 (2) "Code of conduct," a set of ethical principles and guidelines that constitutes appropriate
19 behavior within ~~an organization~~ a state agency;

20 (3) "Internal control," a process that integrates the plans, activities, policies, attitudes,
21 procedures, systems, resources, and efforts of ~~an organization~~ a state agency and that
22 is designed to provide reasonable assurance that the ~~organization~~ state agency will
23 achieve its objectives and missions and to detect and prevent financial malfeasance;

24 (4) "Internal control officer," the individual designated by each state agency to oversee the
25 implementation, monitoring, and reporting of internal control systems in accordance
26 with the board's guidelines and standards;

27 (5) "Pass-through grant," a grant awarded by a federal entity to the state entity a state agency
28 and transferred or passed to a sub-recipient by the state;

29 (5)(6) "State agency," the Legislature, any constitutional officer, the Unified Judicial System
30 Board of Regents, and any department, division, bureau, board, commission,
31 committee, authority, or agency ~~of the State of South Dakota~~ under the authority of the
32 Governor;

33 (6)(7) "Sub-recipient," an entity that expends a pass-through grant.

34 **Section 2. That § 1-56-2 be AMENDED:**

35 **1-56-2.** There is hereby created a State Board of Internal Control that consists of ~~seven~~
36 ~~members. Three members shall represent;~~

1 ~~(1) Four individuals representing state agencies under the control of the Governor and shall be,~~
 2 ~~appointed by the Governor. Each member appointed by the Governor shall serve a~~
 3 ~~three year term. However, the initial appointments shall be for staggered terms. The~~
 4 ~~remaining members shall be the;~~

5 ~~(2) The commissioner of the Bureau of Finance and Management, the who serves as the chair;~~

6 ~~(3) The state auditor, a; and~~

7 ~~(4) An individual appointed by the executive director of the Board of Regents administrator's~~
 8 ~~designee, and a member appointed by the Chief Justice of the Supreme Court.~~

9 ~~Each individual appointed by the Governor serves a three-year term, provided that the initial~~
 10 ~~appointments are for staggered terms. Any four of the seven members constitutes a quorum. The~~
 11 ~~commissioner of the Bureau of Finance and Management shall be chair of the board.~~

12 **Section 3. That § 1-56-3 be AMENDED:**

13 **1-56-3.** ~~The board may promulgate rules, pursuant to chapter 1-26, to implement, manage,~~
 14 ~~and provide oversight of a system of internal control in accordance with internal control standards.~~

15 **Section 4. That § 1-56-6 be AMENDED:**

16 **1-56-6.** ~~The board shall establish and maintain:~~

17 (1) ~~Guidelines~~ Establish and maintain guidelines for an effective system of internal control
 18 to be implemented by state agencies that is in accordance with internal control
 19 standards;

20 (2) ~~A~~ Establish and maintain a code of conduct for use by state agencies ~~excluding the~~
 21 ~~Unified Judicial System; and;~~

22 (3) ~~A conflict of interest~~ Establish and maintain a conflict-of-interest policy for use by state
 23 agencies ~~excluding the Unified Judicial System;~~

24 (4) Evaluate and test the effectiveness of internal controls in state agencies;

25 (5) Access all relevant records, data, and documents from state agencies to carry out the board's
 26 responsibilities; and

27 (6) Review and assess whether internal controls are working as intended and make
 28 recommendations for improvements.

29 ~~The Unified Judicial System may implement the code of conduct and conflict of interest policy~~
 30 ~~in accordance with the code of judicial conduct and employee policies utilized within the Unified~~
 31 ~~Judicial System.~~

32 **Section 5. That § 1-56-8 be AMENDED:**

33 **1-56-8.** Each state agency shall designate an internal control officer. The internal control
 34 officer shall ensure the agency complies with the provisions of this chapter. Two or more agencies
 35 may agree to designate a single individual as the internal control officer for the agencies participating
 36 in the agreement. The board shall make available to each internal control officer guidelines and
 37 standards that the state agency shall implement and comply. The board may take other actions as
 38 necessary to carry out the purpose and intent of this chapter.

39 **Section 6. That a NEW SECTION be added to chapter 1-56:**

1 Each state agency shall conduct an annual review of the agency's documented risk and control
2 matrix to assess the adequacy and effectiveness of the agency's internal controls and risk mitigation
3 strategies.

4 Following the review, each state agency shall submit the results to the Board of Internal
5 Control, including any updates to the agency's risk and control matrix.

6 **Section 7.** On July 1, 2025, the term of the individual appointed to the State Board of Internal
7 Control by the chief justice of the Supreme Court expires."

8 The question being on Rep. Heinemann's motion that **SB 61** be amended.

9 The Speaker, being in doubt of the voice vote, called for a division of the House.

10 Th Speaker declared Rep. Heinemann's motion prevailed.

11 The question being "Shall **SB 61** pass as amended?"

12 And the roll being called:

13 Yeas 60, Nays 9, Excused 1, Absent 0

14 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby,
15 Duffy, Emery, Fitzgerald, Garcia, Goodwin, Greenfield, Halverson, Healy, Heermann, Heinemann,
16 Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kolbeck (Jack),
17 Kull, Ladner, Lems, Manhart, Massie, Mortenson, Muckey, Mulder, Nolz, Peterson (Drew), Reder,
18 Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk,
19 Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

20 Nays: Gosch, May, Moore, Mulally, Novstrup, Odenbach, Overweg, Pourier, and Schaeftbauer

21 Excused: Randolph

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 192:** FOR AN ACT ENTITLED, An Act to rename the Department of Corrections.

25 Was read the second time.

26 The question being "Shall **SB 192** pass?"

27 And the roll being called:

28 Yeas 14, Nays 55, Excused 1, Absent 0

29 Yeas: Bahmuller, Emery, Healy, Hughes, Jamison, Kassin, Kull, Lems, Muckey,
30 Peterson (Drew), Roby, Roe, Uhre-Balk, and Wittman

31 Nays: Andera, Arlint, Auch, Aylward, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy,
32 Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Heermann, Heinemann, Hunt, Ismay,
33 Jensen (Phil), Jordan, Jorgenson, Kayser, Kolbeck (Jack), Ladner, Manhart, Massie, May, Moore,
34 Mortenson, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Pourier, Reder, Rehfeldt, Reimer,
35 Reisch, Rice, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Van Diepen, Vasgaard,
36 Walburg, Weems, Weisgram, and Speaker Hansen

37 Excused: Randolph

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

3

SIGNING OF BILLS

4 The Speaker publicly read the title to

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

7 **HB 1024:** FOR AN ACT ENTITLED, An Act to amend certain fees collected by the secretary of
8 state.

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

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

14 **HB 1067:** FOR AN ACT ENTITLED, An Act to define the term "must."

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

17 **HB 1093:** FOR AN ACT ENTITLED, An Act to modify the permissible dates for a school district
18 bond election.

19 **HB 1097:** FOR AN ACT ENTITLED, An Act to establish and modify provisions for the temporary
20 training of nonresident physicians.

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

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

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

27 **HB 1265:** FOR AN ACT ENTITLED, An Act to establish provisions related to the sharing of
28 information with the national marrow donor program.

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 44:** FOR AN ACT ENTITLED, An Act to modify tax refunds for elderly persons and persons
33 with a disability, to make an appropriation therefor, and to declare an emergency.

34 **SB 46:** FOR AN ACT ENTITLED, An Act to specify the funds into which certain boat fees are
35 deposited.

36 **SB 52:** FOR AN ACT ENTITLED, An Act to authorize the expansion of the South Dakota State
37 Veterans Cemetery, to make an appropriation therefor, and to declare an emergency.

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

1 **SB 99:** FOR AN ACT ENTITLED, An Act to make an appropriation for purchasing, storing, and
2 distributing sexual assault kits.

3 **SB 170:** FOR AN ACT ENTITLED, An Act to authorize the South Dakota State Brand Board to
4 enter a memorandum of understanding with any Indian tribe for the investigation of cattle theft.

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

6 Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at
7 3:31 p.m. the House adjourned.

8 Patricia Miller, Chief Clerk