

# *JOURNAL OF THE HOUSE*

## *ONE HUNDREDTH SESSION*

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THIRTY-SEVENTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Thursday, March 13, 2025

The House convened at 10:00 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Russell Jones, followed by the Pledge of Allegiance led by House pages Avarie Prien and Donovan Shipley.

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 36th 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 HOUSE PAGE RESOLUTION 5 Introduced by: Representatives Andera; Arlint; Auch; Aylward;  
 2 Bahmuller; Bathke; Baxter; Czmowski; DeGroot; Derby; Duffy; Emery; Fitzgerald; Garcia;  
 3 Goodwin; Gosch; Greenfield; Halverson; Hansen; Healy; Heermann; Heinemann; Hughes; Hunt;  
 4 Ismay; Jamison; Jensen; Jordan; Jorgenson; Kassin; Kayser; Kolbeck; Kull; Ladner; Lems;  
 5 Manhart; Massie; May; Moore; Mortenson; Muckey; Mulally; Mulder; Nolz; Novstrup; Odenbach;  
 6 Overweg; Peterson; Pourier; Randolph; Reder; Rehfeldt; Reimer; Reisch; Rice; Roby; Roe;  
 7 Schaeftbauer; Schwans; Shorma; Sjaarda; Soye; Stevens; Uhre-Balk; Van Diepen; Vasgaard;  
 8 Walburg; Weems; Weisgram; Wittman

9 A RESOLUTION, Expressing the appreciation and gratitude of the House of Representatives of  
 10 the One Hundredth Legislature of the State of South Dakota to Braxton Adams, Sver Ansorge-  
 11 Jepsen, Landon Berg, Ella Locke, Kaysen Magee, Olivia Miller, Avarie Prien, and Donovan Shipley.

12 WHEREAS, the above named served loyally as pages for the House of Representatives of the  
 13 One Hundredth Legislative Session; and

14 WHEREAS, the members of the One Hundredth House of Representatives express their most  
 15 sincere appreciation to these young people for their service to the state; and

16 WHEREAS, the members extend to these young people their wishes for every success in life:

17 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the One Hundredth  
 18 Legislature of the State of South Dakota, that a personal copy of this resolution be duly certified  
 19 and furnished to each page on this last day of service.

20 Rep. Soye moved that House Page Resolution 5 be adopted.

21 Which motion prevailed and the resolution was adopted.

22 **COMMUNICATIONS AND PETITIONS**

23 March 11, 2025

24 Mr. Speaker and Members of the House of Representatives:

25 I have the honor to inform you that on March 11, 2025, I approved House Bills 1001, 1026,  
 26 1051, 1067, 1068, 1079, 1080, 1092, 1093, 1097, 1100, 1129, 1133, 1141, 1157, 1194, and 1265,  
 27 and the same have been deposited in the office of the Secretary of State.

28 Respectfully submitted,  
 29 Larry Rhoden  
 30 Governor

31 March 11, 2025

32 Mr. Speaker and Members of the House of Representatives:

33 I have the honor to inform you that on March 11, 2025, I approved House Bill 1024, and the  
 34 same has been deposited in the office of the Secretary of State.

35 Respectfully submitted,  
 36 Larry Rhoden  
 37 Governor

1 March 12, 2025

2 Mr. Speaker and Members of the House of Representatives:

3 I have the honor to inform you that on March 12, 2025, I approved House Bills 1094, 1192,  
4 1195, and 1196, and the same have been deposited in the office of the Secretary of State.

5 Respectfully submitted,  
6 Larry Rhoden  
7 Governor

8 March 12, 2025

9

10 Lieutenant Governor Tonnis H. Venhuizen  
11 President of the Senate  
12 500 E. Capitol Ave. Pierre, SD 57501

13 Dear Lieutenant Governor Venhuizen,

14 I write to announce that I have signed Senate Bill 83. We all know someone – a friend, a loved-  
15 one, or someone else in our lives – who struggles with chemical dependency. I respect the decision  
16 of the legislature to pass this bill, though legislators were narrowly divided on this issue. This was a  
17 difficult decision, and I see both sides of the debate. I do have concerns about the impact that this  
18 bill will have on public safety in South Dakota, and I recognize that law enforcement groups opposed  
19 it. We must find better ways to rehabilitate those who are stuck in addiction and chemical  
20 dependency. My signature today cannot be the end of the discussion.

21 We need all three branches of government – the legislature, the executive branch, and the  
22 judiciary – to continue working toward solutions. We must expand treatment opportunities for those  
23 with substance abuse disorder and make sure that the punishment fits the crime. The Unified Judicial  
24 System will assemble a task force this summer to examine resources to South Dakota treatment  
25 courts, and my Project Prison Reset will be analyzing the needs of our prison system – a review that  
26 must include impact of our laws and criminal penalties on our incarcerated population. That work  
27 and more must continue. I'm focused on solutions.

28 I am committed to working closely with all law enforcement groups to carefully monitor the  
29 implementation of this law. If we find that it is not achieving the intended outcomes, we will make  
30 necessary adjustments. That is the essence of our republican system of government – an ongoing  
31 process of innovation and improvement, where we test new ideas, learn from experience, and  
32 continuously strive to do better.

33 Individuals struggling with addiction need treatment and support. A felony conviction can  
34 create obstacles for the rest of an individual's life. We cannot legislate felony punishments without  
35 understanding the gravity of that reality and the lifelong burden of a felony conviction. Labeling  
36 individuals stuck in chemical dependency as "felons" makes it harder for them to secure  
37 employment, housing, and a stable future.

38 We should focus on getting people into treatment, not into prison. The criminal justice system  
39 is not a substitute for rehabilitation, and incarceration does not address the root causes of addiction.  
40 Instead, incarceration only increases prison overcrowding. Our current facilities cannot provide  
41 adequate rehabilitative services; they currently have a long waitlist for the very programs designed  
42 to help South Dakotans recover and reintegrate into society.

43 With the limited availability for rehabilitation at the current State Penitentiary, all we can really  
44 do is lock 'em up. By focusing on treatment instead of incarceration, we can help keep families intact  
45 and give people a chance at real recovery.

1 Finally, under this law, a third offense will remain a felony, holding accountable those who  
2 refuse treatment and disregard opportunities for rehabilitation. By reforming these laws, we can  
3 redirect resources toward effective treatment programs, reduce unnecessary incarceration, and help  
4 achieve recovery for those struggling with substance abuse disorder.

5 There is more to be said and done on the issue of our criminal justice system and how we help  
6 South Dakotans rehabilitate from addiction. Again, I'm focused on solutions, and I appreciate the  
7 continued work of both the legislature and our justice system towards those solutions.

8  
9 Sincerely,  
10 Larry Rhoden  
11 Governor

12 CC: Jon Hansen, Speaker of the House

13 March 12, 2025

14 The Honorable Jon Hansen  
15 Speaker of the House of Representatives  
16 500 East Capitol Avenue  
17 Pierre, South Dakota 57501

18 Dear Mr. Speaker and Members of the House of Representatives,

19 I respectfully return to you House Bill 1132 with my VETO. House Bill 1132 is an Act to establish  
20 provisions for eligibility in the child care assistance program for certain child care employees.

21 House Bill 1132 shifts South Dakota's child care assistance program away from its core mission.  
22 Currently, the program is designed as a safety net to help low-income families cover child care costs  
23 while they work toward self-sufficiency. This bill would give child care workers preferential  
24 treatment, by allowing them to receive this aid at a higher income level. This would be the first time  
25 in South Dakota that our state safety net programs would give enhanced benefits to people working  
26 in one type of job or occupation, and it would transform this program into a long-term workforce  
27 subsidy rather than what its focus should be: temporary support for families in need.

28 Additionally, the bill includes no appropriation to cover the cost of expansion. If just 5% of  
29 South Dakota's current child care workforce applies, the program will require an additional \$3.8  
30 million in state general funds. If half of the current workforce applies, the program grows by \$38  
31 million. The lack of new funding creates a zero-sum game, and this expansion would force reductions  
32 in benefits or waiting lists for the low-income families the program was originally designed to  
33 support.

34 The Department of Social Services has been actively implementing solutions to support the  
35 child care industry and workforce. These solutions focus on sustainable approaches and do not  
36 involve expanding our state's safety net program beyond its intended purpose. The state's role in  
37 promoting our child care workforce should be supporting economic development and encouraging  
38 private sector solutions – not broadening government safety nets into permanent workforce  
39 subsidies.

40 For these reasons I object to House Bill 1132, and I ask that you sustain my VETO.

41 Respectfully submitted,  
42 Larry Rhoden  
43 Governor

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**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 1218** and finds the same correctly enrolled.

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6

Respectfully submitted,  
Jon Hansen, Chair

7

**MESSAGES FROM THE SENATE**

8 MR. SPEAKER:

9 I have the honor to inform your honorable body that the Senate has adopted the reports of  
10 the Conference Committees on **HB 1218, and SB 68, 91, and 113.**

11

12

Respectfully,  
Peggy Laurenz, Secretary

13

**MOTIONS AND RESOLUTIONS**

14 Rep. Odenbach moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on  
15 Monday, March 31, 2025, the 38<sup>th</sup> legislative day.

16

Which motion prevailed.

17

**CONSIDERATION OF EXECUTIVE VETOES AND RECOMMENDATIONS**

18 The House proceeded to the reconsideration of **HB 1132**, pursuant to the veto of the Governor  
19 and the veto message found on page 544 of the House Journal as provided in Article IV, Section 4,  
20 of the Constitution of the State of South Dakota.

21

The question being "Shall **HB 1132** pass, the veto of the Governor notwithstanding?"

22

And the roll being called:

23

Yeas 27, Nays 43, Excused 0, Absent 0

24

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Yeas: Arlint, Bathke, DeGroot, Emery, Halverson, Healy, Heermann, Heinemann, Jamison,  
Kassin, Kull, May, Moore, Muckey, Mulder, Peterson (Drew), Rehfeldt, Reisch, Roby, Roe, Shorma,  
Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, and Wittman

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Nays: Andera, Auch, Aylward, Bahmuller, Baxter, Czmowski, Derby, Duffy, Fitzgerald, Garcia,  
Goodwin, Gosch, Greenfield, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser,  
Kolbeck (Jack), Ladner, Lems, Manhart, Massie, Mortenson, Mulally, Nolz, Novstrup, Odenbach,  
Overweg, Pourier, Randolph, Reder, Reimer, Rice, Schaeffbauer, Schwans, Sjaarda, Soye, Vasgaard,  
Weisgram, and Speaker Hansen

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So the bill not having received an affirmative vote of a two-thirds majority of the members-  
elect, the Speaker declared the bill lost, sustaining the Governor's veto.

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

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**HB 1046:** FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal year 2025.

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Was read the second time.

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The question being "Shall **HB 1046** pass as amended?"

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And the roll being called:

7

Yeas 64, Nays 6, Excused 0, Absent 0

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

15

Nays: Emery, Healy, Kolbeck (Jack), Muckey, Uhre-Balk, and Wittman

16

17

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

18

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There being no objection, the House reverted to Order of Business No. 5 - Reports of Standing Committees.

20

**REPORTS OF STANDING COMMITTEES**

21

MR. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that **HB 1007, 1062, 1066, 1143, 1169, 1208, 1230, 1239, 1245, and 1259** were delivered to his Excellency, the Governor, for his approval at 10:33 a.m., March 13, 2025.

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26

Respectfully submitted,  
Jon Hansen, Chair

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**MESSAGES FROM THE SENATE**

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MR. SPEAKER:

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I have the honor to transmit herewith **SB 55 and 220** which have passed the Senate and your favorable consideration is respectfully requested.

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Respectfully,  
Peggy Laurenz, Secretary

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

2 **SB 55:** FOR AN ACT ENTITLED, An Act to revise property tax levies for school districts and to  
3 revise the state aid to general and special education formulas.

4 Was read the second time.

5 The question being "Shall **SB 55** pass as amended?"

6 And the roll being called:

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

8 Yeas: Arlint, Auch, Aylward, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery,  
9 Fitzgerald, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Jamison,  
10 Jorgenson, Kassin, Kolbeck (Jack), Kull, Ladner, Lems, Massie, May, Moore, Mortenson, Muckey,  
11 Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Randolph, Reder, Rehfeldt,  
12 Reimer, Reisch, Roby, Roe, Schaeffbauer, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen,  
13 Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

14 Nays: Andera, Baxter, Garcia, Hunt, Ismay, Jensen (Phil), Jordan, Kayser, Manhart, Mulally,  
15 Rice, and Schwans

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 **SB 220:** FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of  
19 the legislative, judicial, and executive departments of the state, the current expenses of state  
20 institutions, interest on the public debt, and common schools.

21 Was read the second time.

22 The question being "Shall **SB 220** pass?"

23 And the roll being called:

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

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

31 Nays: Aylward, Baxter, Garcia, Hunt, Ismay, Jensen (Phil), Jordan, Manhart, Mulally,  
32 Randolph, and Reder

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

35 There being no objection, the House reverted to Order of Business No. 5 - Reports of Standing  
36 Committees.

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**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 1046** and finds the same correctly enrolled.

5 Respectfully submitted,  
6 Jon Hansen, Chair

7

**MESSAGES FROM THE SENATE**

8 MR. SPEAKER:

9 I have the honor to return herewith **HB 1046** which has passed the Senate without change.

10 Respectfully,  
11 Peggy Laurenz, Secretary

12

**SIGNING OF BILLS**

13 The Speaker publicly read the title to

14 **HB 1046**: FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal  
15 year 2025.

16 **HB 1218**: FOR AN ACT ENTITLED, An Act to address the imposition of firearm restrictions on  
17 certain employees, officers, volunteers, and other individuals.

18 **SB 68**: FOR AN ACT ENTITLED, An Act to require an individual be a citizen of the United States  
19 before being eligible to vote and to provide a penalty therefor.

20 **SB 91**: FOR AN ACT ENTITLED, An Act to revise the requirements for a petition to initiate a  
21 measure or constitutional amendment or to refer a law.

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

23 There being no objection, the House reverted to Order of Business No. 5 - Reports of Standing  
24 Committees.

25

**REPORTS OF STANDING COMMITTEES**

26 MR. SPEAKER:

27 The Committee on Legislative Procedure respectfully reports that **HB 1046 and 1218** were  
28 delivered to his Excellency, the Governor, for his approval at 1:10 p.m., March 13, 2025.

29 Respectfully submitted,  
30 Jon Hansen, Chair



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**SIGNING OF BILLS**

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The Speaker publicly read the title to

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**SB 55:** FOR AN ACT ENTITLED, An Act to revise property tax levies for school districts and to revise the state aid to general and special education formulas.

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**SB 220:** FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of the legislative, judicial, and executive departments of the state, the current expenses of state institutions, interest on the public debt, and common schools.

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And signed the same in the presence of the House.

9

Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at 1:20 p.m. the House adjourned.

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Patricia Miller, Chief Clerk

