

JOURNAL OF THE HOUSE

ONE HUNDRED FIRST SESSION

THIRD DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, January 15, 2026

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

The prayer was offered by the Chaplain, Rev. Tim Bresnahan, followed by the Pledge of Allegiance led by House page Isabelle Beeson.

Roll Call: All members present except Reps. Bathke, Gosch, and May who were 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 2nd 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.

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REPORTS OF STANDING COMMITTEES

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MR. SPEAKER:

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The Committee on House Legislative Procedure respectfully reports that it has had under consideration the house rules and recommends that the house rules of the One-Hundredth Legislative Session be adopted as the house rules of the One Hundred First Legislative Session with the following changes:

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House Rules Amendment C

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Section 1. That HR2-1 be AMENDED:

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2-1. Time allowed for a member to speak.

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~~(1) The first time a member speaks on a pending subject, the member may speak for five minutes.~~

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~~(a) The member may continue to speak for an additional five minutes on the same subject, if another member yields his or her time to speak.~~

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~~(b) If the member wishes to continue to speak on the same subject longer than the time allowed under (1)(a), the member shall seek the consent of the majority of the members present and upon receiving such consent, the member may speak up to an additional ten minutes.~~

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~~(2) Any of the time to speak not used by a member in any five minute period is forfeited by the member.~~

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~~(3) Each member may speak on the pending subject before any member speaks twice.~~

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~~(4) If a member speaks for a second time on the pending subject, the member may speak for an additional five minutes.~~

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~~(5) No member may speak more than twice on the same subject, without the consent of a majority of the members present.~~

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When a member speaks on a pending question for the first time, the member may speak for up to five minutes. The member may continue to speak for an additional five minutes on the same question, if another member yields that member's time to speak. If a member wishes to continue to speak on the same question for longer than ten minutes, the member must receive the consent of a majority of the members present. If the member receives the consent of a majority of the members present, the member may speak for an additional ten minutes.

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Each member must be allowed to speak once on the question under debate before a member is allowed to speak for a second time.

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A member who speaks for a second time on the question under debate may speak for up to five minutes. No additional time may be yielded to a member speaking for a second time.

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If a member wishes to speak more than twice on the same question under debate, the member must receive the consent of a majority of members present. If the member receives the consent of a majority of the members present, the member may speak for an additional ~~ten~~ five minutes.

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Any time not used by a member is forfeited.

Notwithstanding any of the limitations of this ~~rule section~~, when the debate on a bill or resolution appears to be closed, the prime sponsor of the bill or resolution may speak for an additional five minutes, unless a motion to call the previous question on final disposition of the bill or resolution has prevailed.

The time consumed by a member asking a question and the time consumed by the response ~~shall be~~ is subtracted from the questioning member's time to speak. The time to speak remaining after the question and the response is not forfeited by the member who asked the question.

House Rules Amendment A

Section 1. That HR2-1 be AMENDED:

2-1. Time allowed for a member to speak.

~~(1) The first time a member speaks on a pending subject, the member may speak for five minutes.~~

~~(a) The member may continue to speak for an additional five minutes on the same subject, if another member yields his or her time to speak.~~

~~(b) If the member wishes to continue to speak on the same subject longer than the time allowed under (1)(a), the member shall seek the consent of the majority of the members present and upon receiving such consent, the member may speak up to an additional ten minutes.~~

~~(2) Any of the time to speak not used by a member in any five minute period is forfeited by the member.~~

~~(3) Each member may speak on the pending subject before any member speaks twice.~~

~~(4) If a member speaks for a second time on the pending subject, the member may speak for an additional five minutes.~~

~~(5) No member may speak more than twice on the same subject, without the consent of a majority of the members present.~~

When a member speaks on a pending question for the first time, the member may speak for up to five minutes. The member may continue to speak for an additional five minutes on the same question, if another member yields that member's time to speak. If a member wishes to continue to speak on the same question for longer than ten minutes, the member must receive the consent of a majority of the members present. If the member receives the consent of a majority of the members present, the member may speak for an additional ten minutes.

Each member must be allowed to speak once on the question under debate before a member is allowed to speak for a second time.

A member who speaks for a second time on the question under debate may speak for up to five minutes. No additional time may be yielded to a member speaking for a second time.

If a member wishes to speak more than twice on the same question under debate, the member must receive the consent of a majority of members present. If the member receives the consent of a majority of the members present, the member may speak for an additional five minutes.

Any time not used by a member is forfeited.

Notwithstanding any of the limitations of this ~~rule section~~, when the debate on a bill or resolution appears to be closed, the prime sponsor of the bill or resolution may speak for an additional five minutes, unless a motion to call the previous question on final disposition of the bill or resolution has prevailed.

The time consumed by a member asking a question and the time consumed by the response ~~shall be~~ is subtracted from the questioning member's time to speak. The time to speak remaining after the question and the response is not forfeited by the member who asked the question.

Respectfully submitted,
Jon Hansen, Chair

MR. SPEAKER:

The Committee on Joint Legislative Procedure respectfully reports that it has had under consideration the joint rules and recommends that the joint rules of the One-Hundredth Legislative Session be adopted as the joint rules of the One Hundred First Legislative Session with the following changes:

Joint Rules Amendment A

Section 1. That JR4-1 be AMENDED:

4-1. Daily order of business. After call to order, the daily order of business shall be as follows:

- (1) Prayer by the chaplain and pledge of allegiance;
- (2) Roll call and determination of a quorum;
- (3) Approval of the journal;
- (4) Communications and petitions;
- (5) Reports of standing committees;
- (6) Reports of select committees;
- (7) Messages from the other house;
- (8) Motions and resolutions;
- (9) Consideration of committee reports;
- (10) Introduction, first reading and reference of bills and joint resolutions originating in the house;
- (11) First reading and reference of bills and joint resolutions originating in the other house;
- (12) Second reading of consent calendar bills and resolutions;
- (13) Second reading of bills and joint resolutions originating in the house;
- (14) Second reading of bills and joint resolutions originating in the other house;
- (15) Announcements.

~~To revert to an old order of business or to pass to a new order of business requires a majority vote of the members present. The presiding officer of the floor session may change the order of business unless a member objects to the change. If a member objects to changing the order of business, the chamber may by motion, approved by an affirmative vote of a majority of members present, revert to a previous order of business or proceed to a further order of business.~~

Any message or communication from the Governor or other state officer may be received at any time.

Joint Rules Amendment B

Section 1. That a NEW SECTION be added to Joint Rules Chapter 5:

5-13.2. Motion for reconsideration on last day to move bills. On the last day to move a bill or joint resolution out of the house of origin, as established in Joint Rules chapter 17, any member who has given notice of intent to move for reconsideration must make the motion to reconsider at a time before the conclusion of business on that day. The motion to reconsider may be made at any time before adjournment.

Joint Rules Amendment C

Section 1. That JR7-19 be AMENDED:

~~**7-19. Motion to take from the table or to reconsider the bill.** Whenever any bill or resolution is laid on the table or deferred to a day certain beyond sine die, it requires a majority vote of the committee members elect to take it from the table or to reconsider the bill or resolution which was deferred or recall a bill. Notwithstanding Joint Rule 7-19.1, a motion to recall a bill or resolution from a day certain beyond sine die or take a bill or resolution from the table requires an affirmative vote of a majority of the members-elect of the committee. The motion to take from the table or to reconsider recall is debatable.~~

If a committee adopts a motion to recall a bill or resolution from a day certain beyond sine die or take a bill or resolution from the table pursuant to this section and the committee does not establish by motion the date to which consideration of the bill is deferred, the chair of the committee must schedule the bill or resolution for consideration before the required deadline to deliver the bill or resolution to the floor, pursuant to Joint Rules chapter 17.

Except as provided in Joint Rule 7-19.1, a member may not make a motion to take from the table or recall a bill from a day certain beyond sine die, on the last day for a committee to deliver a bill or resolution:

(1) To the floor of the house of origin, as established in Join Rules chapter 17; or

(2) To the floor of the second house, as established in Join Rules chapter 17.

Section 2. That a NEW SECTION be added to Joint Rules Chapter 7:

7-19.1. Motion to take from the table or recall a bill and consider immediately. If a bill or resolution has been laid on the table or has been deferred to a day certain beyond sine die, a member may make motion to recall a bill or resolution from a day certain beyond sine die or take a bill or resolution from the table and immediately consider the bill, pursuant to Joint Rule 7-1.5. A motion made pursuant to this section requires an affirmative vote of two-thirds of the members-elect of the committee.

A motion made pursuant to this section is debatable.

Respectfully submitted,
Chris Karr, Chair

1 MR. SPEAKER:

2 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
3 under consideration **HB 1052** and returns the same with the recommendation that said bill be
4 amended as follows:

5 1052A

6 On page 1, line 10, of the Introduced bill, delete " 2" and insert " 2A"

7 On page 1, line 11, of the Introduced bill, delete " H. H. M." and insert " B.H.M."

8 And that as so amended, **HB 1052** do pass.

9 Respectfully submitted,
10 Marty Overweg, Chair

11 MR. SPEAKER:

12 The Committee on House Transportation respectfully reports that it has had under
13 consideration **HB 1009** and returns the same with the recommendation that said bill do pass, and
14 having been certified as uncontested, be placed on the consent calendar.

15 Respectfully submitted,
16 Tony Randolph, Chair

17 **MOTIONS AND RESOLUTIONS**

18 Rep. Odenbach moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
19 Friday, January 16, 2026, the 4th legislative day.

20 Which motion prevailed.

21 **HCR 6003:** A CONCURRENT RESOLUTION recognizing the importance of conservation and
22 restoration practices in addressing water shortages and forest fire mitigation in the Black Hills, and
23 commending the organizations engaged in this work.

24 Introduced by: **Representative** Uhre-Balk

25 **HCR 6004:** A CONCURRENT RESOLUTION encouraging the use of physical cash in
26 transactions.

27 Introduced by: **Representative** Sjaarda

28 **HCR 6005:** A CONCURRENT RESOLUTION supporting January as National Blood Donor Month.

29 Introduced by: **Representative** Derby

30 Were read the first time.

31 **HCR 6002** was read on January 13, 2026 and today the Speaker waived the committee referral
32 pursuant to JR 6D-1, and placed the bill on the calendar of the 4th legislative day.

HR 7001: A RESOLUTION recognizing the 250th anniversary of the Declaration of Independence.

Was read the second time.

Rep. Jensen (Phil) moved that **HR 7001** be amended as follows:

HR7001D

On page 1, line 6, of the Introduced resolution, delete " indigenous nations, generations of immigrants, civil rights advocates, and countless others" and insert " generations of natural-born Americans and immigrants"

On page 1, line 11, of the Introduced resolution, after "nation" delete " and will continue to support the United States of America for many years yet to come"

On page 1, line 15, of the Introduced resolution, delete " republic" and insert " Constitutional Republic"

On page 1, line 18, of the Introduced resolution, after "of " insert "ordered "

On page 1, line 18, of the Introduced resolution, after "liberty," delete " democracy, and"

On page 1, line 19, of the Introduced resolution, after "equality" insert ", and natural rights"

Which motion prevailed.

Rep. Odenbach moved that **HR 7001** as found on page 23 of the House Journal be adopted as amended on page 34 of the House Journal.

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

And the roll being called:

Yeas 62, Nays 5, Excused 3, Absent 0

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

Nays: Emery, Healy, Muckey, Uhre-Balk, and Wittman

Excused: Bathke, Gosch, and May

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

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

2 **HB 1064:** FOR AN ACT ENTITLED, An Act to provide for the sale of producer-raised meat and
3 meat food products directly to consumers pending legalization under federal law.

4 Introduced by: **Representative** Shubeck

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

6 **HB 1068:** FOR AN ACT ENTITLED, An Act to authorize the dispensing of ivermectin and
7 hydroxychloroquine under a written protocol developed by a physician.

8 Introduced by: **Representative** Andera

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

10 **HB 1066:** FOR AN ACT ENTITLED, An Act to revise a provision related to theft by a contractor,
11 subcontractor, or supplier.

12 Introduced by: **Representative** Fitzgerald

13 **HB 1067:** FOR AN ACT ENTITLED, An Act to provide a rebuttable presumption in favor of joint
14 physical custody of a minor child.

15 Introduced by: **Representative** Andera

16 **HB 1076:** FOR AN ACT ENTITLED, An Act to revise restrictions on residence within a
17 community safety zone and to declare an emergency.

18 Introduced by: **Representative** Gosch

19 Were read the first time and referred to the Committee on Judiciary.

20 **HB 1070:** FOR AN ACT ENTITLED, An Act to expand the days that a retailer is permitted to
21 sell fireworks to residents of this state.

22 Introduced by: **Representative** Jordan

23 Was read the first time and referred to the Committee on Commerce and Energy.

24 **HB 1073:** FOR AN ACT ENTITLED, An Act to provide for the creation of a cardiac emergency
25 plan in every school.

26 Introduced by: **Representative** Heermann

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

28 **HB 1069:** FOR AN ACT ENTITLED, An Act to establish the lifetime registration of and license
29 fees for certain small trailers.

30 Introduced by: **Representative** Jordan

HB 1071: FOR AN ACT ENTITLED, An Act to establish a ten-year boat registration for owners of certain boats.

Introduced by: **Representative** Jordan

Were read the first time and referred to the Committee on Transportation.

HB 1072: FOR AN ACT ENTITLED, An Act to provide an appropriation for a payment for state employee salaries.

Introduced by: **Representative** Weisgram

Was read the first time and referred to the Joint Committee on Appropriations.

HB 1065: FOR AN ACT ENTITLED, An Act to require the possession of a registry identification card to raise an affirmative defense in cannabis prosecution.

Introduced by: **Representative** Ismay

HB 1074: FOR AN ACT ENTITLED, An Act to provide for compensation to counties for administering tax increment financing districts created by a municipality.

Introduced by: **Representative** Novstrup

HB 1075: FOR AN ACT ENTITLED, An Act to require notification of property owners prior to the establishment of a tax increment financing district.

Introduced by: **Representative** Novstrup

Were read the first time.

The following bills were read on January 13, 2026, and today the Speaker assigned these bills to committee:

HB 1018 was referred to the House Committee on Appropriations.

HB 1041, HB 1042, HB 1043, HB 1044, HB 1046, HB 1047, HB 1048, and **HB 1051** were referred to the Joint Committee on Appropriations.

Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at 3:02 p.m. the House adjourned.

Patricia Miller, Chief Clerk

