

JOURNAL OF THE HOUSE

ONE HUNDRED FIRST SESSION

TENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, January 27, 2026

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

The prayer was offered by the Chaplain, Amy Wagner, followed by the Pledge of Allegiance led by House pages Brooke Endorf and Kendra Endorf.

Roll Call: All members present except Reps. Bathke, Czmowski, and Shorma who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the 9th 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 House Agriculture and Natural Resources respectfully reports that it has had
4 under consideration **HB 1019** and returns the same with the recommendation that said bill be
5 amended as follows:

6 1019A

7 On page 1, line 1, of the Introduced bill, delete "remove knowledge and intent from certain
8 actions involving pesticide laws" and insert " revise provisions regarding pesticide laws"

9 On page 1, line 5, of the Introduced bill, delete "If " and insert "The secretary may cancel the
10 registration of a pesticide, subject to a hearing under the provisions of chapter 1-26, if "

11 On page 1, line 5, of the Introduced bill, delete ", based on the preponderance of evidence,
12 that a" and insert " that the"

13 On page 1, line 6, of the Introduced bill, delete " does" and insert ":

14 (1) Does"

15 On page 1, line 7, of the Introduced bill, delete the comma and insert a carriage return

16 On page 1, line 7, of the Introduced bill, delete " the secretary may cancel the registration of
17 that pesticide, subject to a hearing under the provisions of chapter 1-26" and insert "; or

18 (2) Is adulterated or misbranded"

19 On page 1, line 9, of the Introduced bill, after "1-26." delete "Section 2. That § 38-20A-26 be
20 AMENDED:

21 "

22 On page 1, line 10, of the Introduced bill, after "AMENDED:" delete "38-20A-26. "

23 On page 1, line 10, of the Introduced bill, after "38-20A-26. " delete "No person may knowingly
24 or willfully distribute, sell, or offer for sale within this state any pesticide which that is adulterated
25 or misbranded, or any device which that is misbranded."

26 On page 1, line 13, of the Introduced bill, after "misbranded." delete "Section 3. That
27 § 38-20A-27 be AMENDED:

28 "

29 On page 1, line 14, of the Introduced bill, after "AMENDED:" delete "38-20A-27. "

30 On page 1, line 14, of the Introduced bill, after "38-20A-27. " delete "No person may knowingly
31 or willfully distribute, sell, or offer for sale within this state any:

32 (1) Any pesticide which that is not registered under the provisions of §§ 38-20A-4 to 38-20A-13,
33 inclusive; or any

34 (2) Any pesticide, if any of the claims made or any of the directions for the pesticide's use
35 differ in substance from the representations made in connection with its registration; or any

36 (3) Any pesticide, if the composition of the pesticide differs from the composition represented
37 in its registration.

1 The secretary may allow a change in the labeling or formula of a pesticide within a registration
2 period without requiring reregistration of the pesticide."

3 On page 2, line 3, of the Introduced bill, after "pesticide." delete "Section 4. That § 38-20A-28
4 be AMENDED:

5 "

6 On page 2, line 4, of the Introduced bill, after "AMENDED:" delete "38-20A-28. "

7 On page 2, line 4, of the Introduced bill, after "38-20A-28. " delete "No person may knowingly
8 or willfully distribute, sell, or offer for sale within this state any pesticide, unless it is in the
9 registrant's or the manufacturer's unbroken immediate container and there is affixed to the
10 container, and to the outside container or wrapper, if one exists, through which the ingredient
11 statement on the immediate container cannot be clearly read, a label bearing clearly and plainly the
12 information required in this chapter."

13 And that as so amended, **HB 1019** do pass, and having been certified as uncontested, be
14 placed on the consent calendar.

15 Also MR. SPEAKER:

16 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
17 under consideration **HB 1064** and returns the same with the recommendation that said bill be
18 amended as follows:

19 1064B

20 On page 1, line 8, of the Introduced bill, after "slaughtered" delete " on the premises of the
21 producer or"

22 On page 1, line 9, of the Introduced bill, after "raised" insert " by the producer for at least
23 ninety days"

24 On page 1, line 11, of the Introduced bill, after "sold" insert " personally by the seller,"

25 On page 1, line 11, of the Introduced bill, after "state" insert ", at:

26 (a) The seller's primary residence;

27 (b) A farmer's market;

28 (c) A roadside stand; or

29 (d) Other temporary sale venue"

30 And that as so amended, **HB 1064** do pass.

31 Also MR. SPEAKER:

32 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
33 under consideration **HB 1077** and returns the same with the recommendation that said bill do pass.

34 Respectfully submitted,
35 Marty Overweg, Chair

1 MR. SPEAKER:

2 The Committee on House Local Government respectfully reports that it has had under
3 consideration **HB 1091** which was deferred to the 41st Legislative Day.

4 Also MR. SPEAKER:

5 The Committee on House Local Government respectfully reports that it has had under
6 consideration **HB 1092** and returns the same with the recommendation that said bill do pass.

7 Also MR. SPEAKER:

8 The Committee on House Local Government respectfully reports that it has had under
9 consideration **HB 1106** and returns the same with the recommendation that said bill do pass, and
10 having been certified as uncontested, be placed on the consent calendar.

11 Respectfully submitted,
12 Greg Jamison, Chair

13 MR. SPEAKER:

14 The Committee on House Transportation respectfully reports that it has had under
15 consideration **HB 1071** which was deferred to the 41st Legislative Day.

16 Also MR. SPEAKER:

17 The Committee on House Transportation respectfully reports that it has had under
18 consideration **HB 1104** and returns the same with the recommendation that said bill do pass, and
19 having been certified as uncontested, be placed on the consent calendar.

20 Respectfully submitted,
21 Tony Randolph, Chair

22 **MESSAGES FROM THE SENATE**

23 MR. SPEAKER:

24 I have the honor to transmit herewith **SB 25, 71, and 85, and SJR 501, 502, and 503** which
25 have passed the Senate and your favorable consideration is respectfully requested.

26 Also MR. SPEAKER:

27 I have the honor to transmit herewith **SCR 602 and 603** which have been adopted by the
28 Senate and your concurrence is respectfully requested.

29 Also MR. SPEAKER:

30 I have the honor to return herewith **HCR 6002, 6003, and 6005** in which the Senate has
31 concurred.

32 Respectfully,
33 Peggy Laurenz, Secretary

MOTIONS AND RESOLUTIONS

1
2 **SCR 602:** A CONCURRENT RESOLUTION celebrating the sister-state relationship with Taiwan.

3 **SCR 603:** A CONCURRENT RESOLUTION supporting the secretary of the United States
4 Department of Agriculture in establishing a working group of nutrition experts to determine national
5 standards for foods and beverages purchased with supplemental nutrition assistance program
6 benefits.

7 Were read the first time.

8 **HCR 6007:** A CONCURRENT RESOLUTION encouraging honest economic development rooted
9 in the republican principles of limited government, deregulation, and organic entrepreneurial growth.

10 Was read the second time.

11 Rep. Jordan moved that **HCR 6007** as found on page 133 of the House Journal be adopted.

12 The question being on Rep. Jordan's motion that **HCR 6007** be adopted.

13 And the roll being called:

14 Yeas 29, Nays 37, Excused 4, Absent 0

15 Yeas: Andera, Auch, Aylward, Baxter, Garcia, Goodwin, Gosch, Heinemann, Hughes, Hunt,
16 Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, Moore, Mulally, Nolz, Odenbach,
17 Overweg, Randolph, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

18 Nays: Arlint, Bahmuller, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness, Greenfield,
19 Halverson, Healy, Heermann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Mortenson,
20 Muckey, Mulder, Novstrup, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Roby, Roe, Shubeck,
21 Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, and Wittman

22 Excused: Bathke, Czmowski, May, and Shorma

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

25 Yesterday, Rep. Wittman announced her intention to reconsider the vote by which **HB 1015** lost.

26 No member moved to reconsider the vote by which **HB 1015** lost.

CONSIDERATION OF REPORTS OF COMMITTEES

27
28 Rep. Odenbach moved that the reports of the Standing Committees on

29 Education on **HB 1003** as found on page 130 of the House Journal; and

30 Judiciary on **HB 1084** as found on page 132 of the House Journal be adopted.

31 Which motion prevailed and the reports were adopted.

1 Rep. Ismay moved that **HB 1004** be placed on the calendar of Wednesday, January, 28, 2026,
2 the 11th legislative day, pursuant to JR 6F-6.

3 The question being on Rep. Ismay's motion that **HB 1004** be placed on the calendar of
4 Wednesday, January, 28, 2026, the 11th legislative day, pursuant to JR 6F-6.

5 And the roll being called:

6 Yeas 29, Nays 37, Excused 4, Absent 0

7 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Gosch, Heinemann, Hughes, Hunt,
8 Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, Mulally, Nolz, Odenbach, Pourier,
9 Randolph, Rice, Schaeftbauer, Schwans, Shubeck, Sjaarda, Soye, and Speaker Hansen

10 Nays: Arlint, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness, Goodwin, Greenfield,
11 Halverson, Healy, Heermann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Moore,
12 Mortenson, Muckey, Mulder, Novstrup, Overweg, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby,
13 Roe, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, and Wittman

14 Excused: Bathke, Czmowski, May, and Shorma

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

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

18 The Speaker declared that **HB 1074** and **HB 1075** were withdrawn at the request of the prime
19 sponsors pursuant to JR 6B-1.1.

20 **HB 1155:** FOR AN ACT ENTITLED, An Act to permit the state to invest in Bitcoin.

21 Introduced by: **Representative** Manhart

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

23 **HB 1152:** FOR AN ACT ENTITLED, An Act to require that the secretary of the Department of
24 Education apply to the United States Department of Education for the authority to develop and
25 implement an innovative assessment system.

26 Introduced by: **Representative** Greenfield

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

28 **HB 1143:** FOR AN ACT ENTITLED, An Act to authorize the possession and self-administration
29 of nasal glucagon by a student on school property and at school-related events and activities.

30 Introduced by: **Representative** Rehfeldt

31 **HB 1146:** FOR AN ACT ENTITLED, An Act to adopt the physician assistant licensure compact.

32 Introduced by: **Representative** Rehfeldt

1 **HB 1151:** FOR AN ACT ENTITLED, An Act to ban kratom and kratom products and to provide
2 a penalty therefor.

3 Introduced by: **Representative** Heinemann

4 **HB 1153:** FOR AN ACT ENTITLED, An Act to protect certain rights of healthcare providers.

5 Introduced by: **Representative** Heinemann

6 Were read the first time and referred to the Committee on Health and Human Services.

7 **HB 1140:** FOR AN ACT ENTITLED, An Act to permit a court to impose as a condition of
8 probation, or parole in certain circumstances, treatment at a nonprofit entity awarded an alternative
9 care program grant.

10 Introduced by: **Representative** Hughes

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

12 **HB 1141:** FOR AN ACT ENTITLED, An Act to provide an additional means of determining the
13 purchase price of a used motor vehicle acquired by gift or other transfer.

14 Introduced by: **Representative** Goodwin

15 Was read the first time and referred to the Committee on Transportation.

16 **HB 1147:** FOR AN ACT ENTITLED, An Act to make an appropriation for the purchase and
17 distribution of food by a statewide distribution organization.

18 Introduced by: **Representative** Muckey

19 **HB 1150:** FOR AN ACT ENTITLED, An Act to make an appropriation to increase the rate of
20 payment for federally qualified health centers.

21 Introduced by: **Representative** Walburg

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

23 **HB 1142:** FOR AN ACT ENTITLED, An Act to provide for the disclosure of any third party that
24 has a right to receive a payment contingent upon the outcome of a civil action.

25 Introduced by: **Representative** Roby

26 **HB 1144:** FOR AN ACT ENTITLED, An Act to restrict the use of artificial intelligence in therapy
27 and psychotherapy services and to provide a penalty therefor.

28 Introduced by: **Representative** Rehfeldt

29 **HB 1145:** FOR AN ACT ENTITLED, An Act to clarify provisions related to the licensure of
30 certified social workers in private, independent practice and establish an alternative to the licensure
31 examination.

32 Introduced by: **Representative** Rehfeldt

1 **HB 1148:** FOR AN ACT ENTITLED, An Act to adopt the respiratory care interstate compact.

2 Introduced by: **Representative** Rehfeldt

3 **HB 1149:** FOR AN ACT ENTITLED, An Act to adopt the athletic trainer licensure compact.

4 Introduced by: **Representative** Rehfeldt

5 **HB 1154:** FOR AN ACT ENTITLED, An Act to establish public benefit corporations in South
6 Dakota.

7 Introduced by: **Representative** Muckey

8 **HB 1156:** FOR AN ACT ENTITLED, An Act to extend each waterfowl hunting season for
9 veterans and active duty personnel.

10 Introduced by: **Representative** Manhart

11 Were read the first time.

12 The following bills were read on January 26, 2026, and today the Speaker assigned these bills
13 to committee:

14 **HB 1138** was referred to the Committee on Health and Human Services.

15 **HB 1137** was referred to the Joint Committee on Appropriations.

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

17 **SB 25:** FOR AN ACT ENTITLED, An Act to update provisions related to the permit application
18 process for proposed energy and transmission facilities.

19 **SB 71:** FOR AN ACT ENTITLED, An Act to authorize the assumption of certain responsibilities
20 and the waiver of sovereign immunity in connection with certain actions under federal environmental
21 law.

22 **SB 85:** FOR AN ACT ENTITLED, An Act to require an election for an excess tax levy of a school
23 district.

24 **SJR 501:** A JOINT RESOLUTION proposing and submitting to the voters at the next general
25 election an amendment to the Constitution of the State of South Dakota, limiting the number of
26 terms an individual may serve as a member of the Legislature.

27 **SJR 502:** A JOINT RESOLUTION applying to the United States Congress under Article V of the
28 United States Constitution to call for a convention proposing an amendment to the constitution fixing
29 the number of justices of the United States Supreme Court at one chief justice and eight associate
30 justices.

31 **SJR 503:** A JOINT RESOLUTION applying to the United States Congress for a convention of
32 the states to propose amendments to the United States Constitution regarding the imposition of
33 fiscal restraints on the federal government, further limiting the power and jurisdiction of the federal
34 government, and limiting the terms of office for members of Congress and other federal officials.

35 Were read the first time.

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

2 Rep. Mulally requested that **HB 1007 and HCR 6001** be removed from the Consent Calendar.

3 **SB 57**: FOR AN ACT ENTITLED, An Act to clarify when agency financial resource information
4 must be filed in the permanent administrative rulemaking process.

5 Was read the second time.

6 The question being "Shall **SB 57** pass as amended?"

7 And the roll being called:

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

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

16 Excused: Bathke, Czmowski, May, and Shorma

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

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

20 **HB 1096**: FOR AN ACT ENTITLED, An Act to allow for the direct creation of a limited liability
21 limited partnership.

22 Was read the second time.

23 Rep. Mortenson moved that **HB 1096** be amended as follows:

24 1096A

25 On page 2, after line 24, of the Introduced bill, insert: "

26 **Section 3.** This Act is effective beginning January 1, 2027."

27 Which motion prevailed.

28 The question being "Shall **HB 1096** pass as amended?"

29 And the roll being called:

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

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

8 Excused: Bathke, Czmowski, May, and Shorma

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

13 Was read the second time.

14 The question being "Shall **HB 1076** pass as amended?"

15 And the roll being called:

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

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

24 Excused: Bathke, Czmowski, May, and Shorma

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

27 **HB 1102:** FOR AN ACT ENTITLED, An Act to reschedule the annual report filing date for a
28 limited liability company and a limited liability partnership.

29 Was read the second time.

30 Rep. Baxter moved that **HB 1102** be amended as follows:

31 1102C

32 On page 1, line 13, of the House State Affairs Engrossed bill, after "partnership" insert "
33 authorized to transact business during the month of January, "

34 On page 1, line 14, of the House State Affairs Engrossed bill, after "the " insert "ensuing "

35 On page 1, line 14, of the House State Affairs Engrossed bill, delete "following the year in which
36 the" and insert ". In all other cases, the annual report required of a limited liability"

37 On page 1, line 14, of the House State Affairs Engrossed bill, after "or" insert " a limited liability"

1 On page 1, line 14, of the House State Affairs Engrossed bill, delete " was authorized to transact
2 business, and each January thirty-first thereafter" and insert " must be delivered to the Office of the
3 Secretary of State on or before January thirty-first of each year"

4 Which motion prevailed.

5 The question being "Shall **HB 1102** pass as amended?"

6 And the roll being called:

7 Yeas 62, Nays 5, Excused 3, Absent 0

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

15 Nays: DeGroot, Fosness, Mortenson, Rehfeldt, and Reisch

16 Excused: Bathke, Czmowski, and Shorma

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

19 Speaker Pro Tempore Lems now presiding.

20 **HJR 5001**: A JOINT RESOLUTION proposing and submitting to the voters at the next general
21 election an amendment to the Constitution of the State of South Dakota, prohibiting the transfer of
22 private property to a non-governmental entity for the purpose of economic development or
23 increased tax revenue and requiring a declaration of necessity.

24 Was read the second time.

25 Rep. Jamison moved that **HJR 5001** be amended as follows:

26 HJR5001C

27 On page 1, line 18, of the House State Affairs Engrossed resolution, after "entity" insert "
28 solely"

29 Rep. Soye requested a roll call vote.

30 Which request was supported.

31 The question being on Rep. Jamison's motion that **HJR 5001** be amended.

32 And the roll being called:

33 Yeas 35, Nays 32, Excused 3, Absent 0

34 Yeas: Arlint, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness, Goodwin, Halverson, Healy,
35 Heermann, Heinemann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Moore, Mortenson,
36 Muckey, Mulder, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Stevens, Uhre-Balk,
37 Van Diepen, Walburg, Weems, Weisgram, and Wittman

1 Nays: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Gosch, Greenfield, Hughes, Hunt,
2 Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Mulally, Nolz, Novstrup,
3 Odenbach, Overweg, Pourier, Randolph, Rice, Schaeffbauer, Schwans, Shubeck, Sjaarda, Soye, and
4 Speaker Hansen

5 Excused: Bathke, Czmowski, and Shorma

6 Rep. Mortenson rose to a point of order that a roll call vote reflects members present, so the
7 motion carried.

8 So the motion having received an affirmative vote of a majority of the members present, the
9 Speaker Pro Tempore declared the motion prevailed.

10 The question being "Shall **HJR 5001** pass as amended?"

11 And the roll being called:

12 Yeas 62, Nays 5, Excused 3, Absent 0

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

20 Nays: Healy, Hughes, Muckey, Uhre-Balk, and Wittman

21 Excused: Bathke, Czmowski, and Shorma

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

24 Speaker Hansen now presiding.

25 **HB 1087**: FOR AN ACT ENTITLED, An Act to prohibit the use of paid petition circulators.

26 Was read the second time.

27 The question being "Shall **HB 1087** pass?"

28 And the roll being called:

29 Yeas 28, Nays 38, Excused 4, Absent 0

30 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Gosch, Heinemann, Hughes, Hunt,
31 Ismay, Jensen (Phil), Jordan, Kayser, Lems, May, Moore, Nolz, Novstrup, Odenbach, Overweg,
32 Randolph, Rice, Schaeffbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

33 Nays: Arlint, Derby, Duffy, Emery, Fitzgerald, Fosness, Goodwin, Greenfield, Halverson, Healy,
34 Heermann, Jamison, Jorgenson, Kassin, Kolbeck (Jack), Kull, Ladner, Manhart, Massie, Mortenson,
35 Muckey, Mulally, Mulder, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Roby, Roe, Shubeck,
36 Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, and Wittman

1 Excused: Bathke, Czmowski, DeGroot, and Shorma

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

4 **HB 1058:** FOR AN ACT ENTITLED, An Act to require licensure for online pari-mutuel wagering
5 pools for horse and dog races, and clarify the application of tax therefor.

6 Was read the second time.

7 The question being "Shall **HB 1058** pass?"

8 And the roll being called:

9 Yeas 56, Nays 10, Excused 4, Absent 0

10 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, Derby, Duffy, Emery, Fitzgerald,
11 Fosness, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes,
12 Hunt, Ismay, Jamison, Jensen (Phil), Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner,
13 Manhart, Massie, May, Moore, Mortenson, Muckey, Mulder, Nolz, Peterson (Drew), Pourier,
14 Randolph, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schwans, Sjaarda, Stevens, Uhre-Balk,
15 Van Diepen, Walburg, Weems, Weisgram, and Wittman

16 Nays: Jordan, Lems, Mulally, Novstrup, Odenbach, Overweg, Schaeftbauer, Shubeck, Soye, and
17 Speaker Hansen

18 Excused: Bathke, Czmowski, DeGroot, and Shorma

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

21 **HB 1101:** FOR AN ACT ENTITLED, An Act to prohibit an insurer from declining or limiting life,
22 disability, or long-term care insurance policies based solely on an individual's status as a living organ
23 donor.

24 Was read the second time.

25 The question being "Shall **HB 1101** pass?"

26 And the roll being called:

27 Yeas 64, Nays 1, Excused 5, Absent 0

28 Yeas: Andera, Arlint, Auch, Bahmuller, Baxter, Derby, Duffy, Emery, Fitzgerald, Fosness,
29 Garcia, Goodwin, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay,
30 Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems,
31 Manhart, Massie, May, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz, Novstrup, Odenbach,
32 Overweg, Peterson (Drew), Pourier, Randolph, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe,
33 Schaeftbauer, Schwans, Shubeck, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems,
34 Weisgram, Wittman, and Speaker Hansen

35 Nays: Aylward

36 Excused: Bathke, Czmowski, DeGroot, Gosch, and Shorma

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

1 **HB 1021:** FOR AN ACT ENTITLED, An Act to authorize the Department of Agriculture and
2 Natural Resources to dismantle and demolish buildings on the South Dakota State Fairgrounds, to
3 make an appropriation therefor, and to declare an emergency.

4 Was read the second time.

5 The question being "Shall **HB 1021** pass?"

6 And the roll being called:

7 Yeas 65, Nays 0, Excused 5, Absent 0

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

15 Excused: Bathke, Czmowski, DeGroot, Gosch, and Shorma

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

18 **HB 1042:** FOR AN ACT ENTITLED, An Act to authorize the construction of a National Guard
19 vehicle maintenance shop in Sturgis, to make an appropriation therefor, and to declare an
20 emergency.

21 Was read the second time.

22 The question being "Shall **HB 1042** pass?"

23 And the roll being called:

24 Yeas 65, Nays 0, Excused 5, Absent 0

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

32 Excused: Bathke, Czmowski, DeGroot, Gosch, and Shorma

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 1047:** FOR AN ACT ENTITLED, An Act to make an appropriation for the construction costs
36 at the Blue Dog State Fish Hatchery, and to declare an emergency.

37 Was read the second time.

1 The question being "Shall **HB 1047** pass?"

2 And the roll being called:

3 Yeas 58, Nays 7, Excused 5, Absent 0

4 Yeas: Andera, Arlint, Auch, Bahmuller, Baxter, Derby, Duffy, Emery, Fitzgerald, Fosness,
5 Garcia, Goodwin, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Ismay, Jamison,
6 Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Manhart, Massie, May, Moore,
7 Mortenson, Muckey, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Poirier,
8 Randolph, Rehfeldt, Reimer, Reisch, Roby, Roe, Schaeftbauer, Schwans, Shubeck, Soye, Stevens,
9 Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

10 Nays: Aylward, Hunt, Jensen (Phil), Jordan, Mulally, Rice, and Sjaarda

11 Excused: Bathke, Czmowski, DeGroot, Gosch, and Shorma

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

15 **SB 5:** FOR AN ACT ENTITLED, An Act to require the disclosure of whether a ballot question
16 was proposed by initiative or by the Legislature.

17 Was read the second time.

18 The question being "Shall **SB 5** pass?"

19 And the roll being called:

20 Yeas 64, Nays 1, Excused 5, Absent 0

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

28 Nays: Greenfield

29 Excused: Bathke, Czmowski, DeGroot, Gosch, and Shorma

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

32 **COMMEMORATIONS**

33 **HC 8002:** A LEGISLATIVE COMMEMORATION celebrating the Harrisburg Tigers as the 2025
34 Class AA state gymnastics champions.

35 Introduced by: **Representatives** Aylward, Bahmuller, Baxter, Emery, Jensen (Phil), Jordan,
36 Moore, Muckey, Poirier, Schaeftbauer, and Sjaarda and **Senators** Perry and Zikmund

1 Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at
2 4:00 p.m. the House adjourned.

3

Patricia Miller, Chief Clerk