

JOURNAL OF THE HOUSE

NINETY-NINTH SESSION

FIRST DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, January 09, 2024

BE IT REMEMBERED, That on the ninth day of January, A.D., two thousand twenty four, at the hour of twelve o'clock meridian, on the second Tuesday in January, being the day and hour fixed by the Constitution of the state of South Dakota for the convening of the Legislature, the Ninety-ninth regular session of the House of Representatives in the Capitol, in the city of Pierre, in the county of Hughes, and the state of South Dakota, the seat of government thereof, was called to order by Speaker Hugh Bartels.

The following prayer was offered by Reverend Sam Handschke, Pierre/Fort Pierre Ministerial Association, Pierre, South Dakota:

Lord God, we thank you for the privilege to govern ourselves. You have blessed our state and its people since our founding. We look to you as the source of life and all good things. Under your direction, your guidance, and your wisdom, we, the people, rule. Bless these representatives during this legislative session. May their minds and hearts be focused on serving the people of this great state. You have given them an awesome privilege and responsibility to serve and act on behalf of your people. Empower them to uphold their office with humility and compassion. Let their words, spoken in these chambers, in the conference rooms, in the hallways, show forth the wonderful trust they have been given by your people. Let their ears be attentive and open to your guidance. May each day, each hour, be dedicated to serving and strengthening the people of this great state. Under you, we, the people, rule. In the name of Jesus I pray, Amen.

The Pledge of Allegiance was led by House page Harlee Nielson.

1 Unless there is an objection, the Secretary of State's certification of members of the House for
2 the Ninety-ninth Legislative Session will be placed in the record without reading.

3 Hearing no objections, the certification is submitted.

4 I, MONAE L. JOHNSON, Secretary of State of the state of South Dakota, do hereby certify that
5 the elected members of the House of Representatives at the general election held on November 8,
6 2022, were certified on November 15, 2022, or December 1, 2022. I do hereby certify that these
7 are the members of the South Dakota House of Representatives for the 2024 Legislative Session.

8 District No. 1: Brown, Day, Marshall, and Roberts Counties
9 Joe Donnell, Sisseton
10 Tamara St. John, Sisseton

11 District No. 2: Minnehaha County
12 David Kull, Brandon
13 John Sjaarda, Valley Springs

14 District No. 3: Brown County
15 Carl E. Perry, Aberdeen
16 Brandei Schaeffbauer, Aberdeen

17 District No. 4: Clark, Codington, Deuel, Grant, Hamlin, and Roberts Counties
18 Fred Deutsch, Florence
19 Stephanie Sauder, Bryant

20 District No. 5: Codington County
21 Hugh M. Bartels, Watertown
22 Byron Callies, Watertown

23 District No. 6: Lincoln County
24 Aaron Aylward, Harrisburg
25 Ernie Otten, Tea

26 District No. 7: Brookings County
27 Roger DeGroot, Brookings
28 Mellissa Heermann, Brookings

29 District No. 8: Brookings, Kingsbury, Lake, and Miner Counties
30 John Mills, Brookings
31 Tim Reisch, Howard

32 District No. 9: Minnehaha County
33 Bethany Soye, Sioux Falls
34 Kenneth Teunissen, Sioux Falls

35 District No. 10: Minnehaha County
36 Erin Healy, Sioux Falls
37 Kameron Nelson, Sioux Falls

38 District No. 11: Minnehaha County
39 Chris Karr, Sioux Falls
40 Brian Mulder, Sioux Falls

41 District No. 12: Lincoln and Minnehaha Counties
42 Amber Arlint, Sioux Falls
43 Greg Jamison, Sioux Falls

1	District No. 13:	Lincoln and Minnehaha Counties
2		Sue Peterson, Sioux Falls
3		Tony Venhuizen, Sioux Falls
4	District No. 14:	Minnehaha County
5		Taylor Rehfeldt, Sioux Falls
6		Tyler Tordsen Sioux Falls
7	District No. 15:	Minnehaha County
8		Linda K. Duba, Sioux Falls
9		Kadyn Wittman, Sioux Falls
10	District No. 16:	Lincoln, Turner, and Union Counties
11		Kevin D. Jensen, Canton
12		Karla J. Lems, Canton
13	District No. 17:	Clay and Union Counties
14		Chris Kassin, Vermillion
15		William Shorma, Dakota Dunes
16	District No. 18:	Clay and Yankton Counties
17		Julie Auch, Yankton
18		Mike Stevens, Yankton
19	District No. 19:	Bon Homme, Hanson, Hutchinson, McCook, and Turner Counties
20		Jessica Bahmuller, Alexandria
21		Drew Peterson, Salem
22	District No. 20:	Davison, Jerauld, Miner, and Sanborn Counties
23		Lance Koth, Mitchell
24		Ben Krohmer, Mitchell
25	District No. 21:	Aurora, Charles Mix, Douglas, Gregory, and Tripp Counties
26		Rocky Blare, Ideal
27		Marty Overweg, New Holland
28	District No. 22:	Beadle, Clark, and Spink Counties
29		Roger Chase, Huron
30		Lynn Schneider, Huron
31	District No. 23:	Brown, Campbell, Edmunds, Faulk, Hand, McPherson, Potter, and
32		Walworth Counties
33		Scott Moore, Ipswich
34		James D. Wangsness, Miller
35	District No. 24:	Haakon, Hughes, Hyde, Stanley, and Sully Counties
36		Will Mortenson, Pierre
37		Mike Weisgram, Ft. Pierre
38	District No. 25:	Minnehaha and Moody Counties
39		Randy Gross, Elkton
40		Jon Hansen, Dell Rapids
41	District No. 26A:	Jones, Mellette, and Todd Counties
42		Eric E. Emery, Rosebud
43	District No. 26B:	Brule, Buffalo, Hughes, Hyde, Jones, and Lyman Counties
44		Rebecca Reimer, Chamberlain

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- | | | |
|----|-------------------|--|
| 1 | District No. 27: | Bennett, Jackson, Oglala Lakota, and Pennington Counties |
| 2 | | Liz May, Kyle |
| 3 | | Peri Pourier, Rapid City |
| 4 | District No. 28A: | Corson, Dewey, Perkins, and Ziebach Counties |
| 5 | | Oren L. Lesmeister, Parade |
| 6 | District No. 28B: | Butte, Harding, and Perkins Counties |
| 7 | | Neal Pinnow, Lemmon |
| 8 | District No. 29: | Meade County |
| 9 | | Gary L. Cammack, Union Center |
| 10 | | Kirk Chaffee, Whitewood |
| 11 | District No. 30: | Custer, Fall River, and Pennington Counties |
| 12 | | Dennis Krull, Hill City |
| 13 | | Trish Ladner, Hot Springs |
| 14 | District No. 31: | Lawrence County |
| 15 | | Mary J. Fitzgerald, Spearfish |
| 16 | | Scott Odenbach, Spearfish |
| 17 | District No. 32: | Pennington County |
| 18 | | Becky J. Drury, Rapid City |
| 19 | | Steve Duffy, Rapid City |
| 20 | District No. 33: | Meade and Pennington Counties |
| 21 | | Phil Jensen, Rapid City |
| 22 | | Curt Massie, Rapid City |
| 23 | District No. 34: | Pennington County |
| 24 | | Mike Derby, Rapid City |
| 25 | District No. 35: | Pennington County |
| 26 | | Tina L. Mulally, Rapid City |
| 27 | | Tony Randolph, Rapid City |

28 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the state
 29 of South Dakota, this 9th day of January 2024.

30 Monae L. Johnson
 31 Secretary of State

32 When the roll was called, all members were present except Reps. Pourier and Shorma who
 33 were excused.

34 **MOTIONS AND RESOLUTIONS**

35 Rep. Mortenson moved that the House do now proceed with the organization of the House of
 36 Representatives.

37 Which motion prevailed.

38 Rep. Hugh Bartels was elected Speaker and Rep. Mike Stevens was elected Speaker Pro
 39 Tempore of the House of Representatives for the 2023-2024 Legislative Term on January 10, 2023.

1 The Speaker announced that nominations for Chief Clerk of the House of Representatives were
2 now in order.

3 Rep. Mortenson nominated Ms. Patricia Miller as Chief Clerk of the House of Representatives
4 for the Ninety-ninth Legislative Session.

5 And the roll being called:

6 Yeas 66, Nays 1, Excused 2, Absent 0

7 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot,
8 Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann,
9 Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,
10 Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Otten (Ernie),
11 Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Randolph, Rehfeldt, Reimer, Reisch,
12 Sauder, Schaeffbauer, Schneider, Sjaarda, Soye, St. John, Stevens, Tordsen, Venhuizen,
13 Wangsness, Weisgram, Wittman, and Speaker Bartels

14 Nays: Teunissen

15 Excused: Pourier and Shorma

16 Ms. Miller having received an affirmative vote of a majority of the members-elect, was declared
17 duly elected.

18 The oath of office was administered to Ms. Miller by the Honorable Mark E. Salter, Justice of
19 the Supreme Court of the State of South Dakota.

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

21 Unless there is an objection, the reading of the appointments of the employees of the House
22 of Representatives for the Ninety-ninth Legislative Session will be waived.

23 Hearing no objection, the reading was waived.

24 Speaker Bartels announced the appointment of the following employees of the House of
25 Representatives for the Ninety-ninth Legislative Session:

26 Assistant to the Chief Clerk – Mary Beth Fravel

27 Assistant to the Chief Clerk – Judy Page

28 Assistant to the Chief Clerk – Shirleen Fugitt

29 Chief Chaplain – Craig Wexler

30 Sergeant at Arms – James Smith

31 Assistant Sergeant at Arms – Rollie Borth

32 Secretary to the Majority Party – Tamara Kintz

33 Secretary to the Minority Party – Aubrey Hofmeister

34 Appropriations Secretary – Leonard Chick

-
- 1 Committee Secretaries – Jean Denton, Pam Kean, Mary Kirk, Joleh McCullough, James Sapp,
2 Madisen Vetter
- 3 Pages (1st Term) – Madison Johnson, Charlee Jorgensen, Elie Land, Wyatt Lesmeister, Gracie
4 Moore, Harlee Nielson, Taylyn Rausch, Raegan Taylor, Avery VanOverbeke
- 5 Pages (2nd Term) – Gunnar Albertsen, Ava Brown, Kate Hamilton, Nicolette Hoffman, Mariela
6 Hyzer, Daniela Lee, Christina Messerli, Katherine Palmer, Claire Pearman, Tristen Petrik,
7 Kendra Saylor, Evelyn Torberson, Raelie Williams
- 8 Pages (3rd Term) – Joseph Grady, Onica Graham, Elliot Hendrix, Paul Kaffar, Emma Kilene,
9 Grant Masek, Eden Otten, Jayda Reinert, Taylor Reisch, Charley Stroh, Henry Thronson,
10 Samuel Weinheimer, Brooke Wright
- 11 Pages (4th Term) – Jennifer Barnett, Faith Gaye, Melody Gilkerson, Rayden Haak, Reese
12 Hadrick, Rachel Heinemann, Rebecca Heinemann, Savannah Hendricks, Henry Homstad,
13 Amelia Knutson, Lucy Moon, Sabrina Strand, Kevin Weller
- 14 Pages (5th Term) – Rebecca Bich, Reagan Blackburn, Bennett Gordon, Ezerina Hyseni, Quinn
15 Moon, Katelyn Ryan, Reese Schmidt, Abigail Studt, Breanna Wollman
- 16 Legislative Interns – Brent Ekanger, Finiasi Epapy, Samantha Gavette, Allison Gross, Ellie Hart,
17 McKenzie Hofer, Marissa Kjorness, Savannah Shrake, Charles Streeter, Jonathon
18 Sundet, Karlie Ten Eyck, Ashlyne Utter, Michael Wagenaar
- 19 The oath of office was administered by the Honorable Mark E. Salter, Justice of the Supreme
20 Court of the state of South Dakota, to the following named employees:
- 21 Assistant to the Chief Clerk – Mary Beth Fravel
- 22 Assistant to the Chief Clerk – Judy Page
- 23 Assistant to the Chief Clerk – Shirleen Fugitt
- 24 Sergeant at Arms – James Smith
- 25 Assistant Sergeant at Arms – Rollie Borth
- 26 Secretary to the Majority Party – Tamara Kintz
- 27 Secretary to the Minority Party – Aubrey Hofmeister
- 28 Appropriations Secretary – Leonard Chick
- 29 Committee Secretaries – Pam Kean, Mary Kirk, James Sapp, Madisen Vetter
- 30 Pages – Madison Johnson, Charlee Jorgensen, Elie Land, Wyatt Lesmeister, Gracie Moore,
31 Harlee Nielson, Taylyn Rausch, Raegan Taylor, Avery VanOverbeke
- 32 Legislative Interns – Brent Ekanger, Finiasi Epapy, Samantha Gavette, Allison Gross, Ellie Hart,
33 Marissa Kjorness, Savannah Shrake, Charles Streeter, Jonathon Sundet, Karlie Ten
34 Eyck, Ashlyne Utter, Michael Wagenaar
- 35 Which were subscribed to and placed on file in the office of the Secretary of State.
- 36 Rep. Mortenson moved that the permanent rules of the House of Representatives for the
37 Ninety-eighth Legislative Session be adopted as the temporary House rules for the Ninety-ninth
38 Legislative Session.

1 The question being on Rep. Mortenson's motion that the permanent rules of the House of
2 Representatives for the Ninety-eighth Legislative Session be adopted as the temporary House rules
3 for the Ninety-ninth Legislative Session.

4 And the roll being called:

5 Yeas 67, Nays 0, Excused 2, Absent 0

6 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot,
7 Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann,
8 Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,
9 Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Otten (Ernie),
10 Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Randolph, Rehfeldt, Reimer, Reisch,
11 Sauder, Schaeffbauer, Schneider, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen,
12 Wangsness, Weisgram, Wittman, and Speaker Bartels

13 Excused: Pourier and Shorma

14 So the motion having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the motion carried.

16 Rep. Mortenson moved that the permanent joint rules of the Ninety-eighth Legislative Session
17 with the recommended changes to those joint rules for the Ninety-ninth Legislative Session as
18 adopted in March, 2023, be adopted as the temporary joint rules for the Ninety-ninth Legislative
19 Session.

20 The question being on Rep. Mortenson's motion that the permanent joint rules of the Ninety-
21 eighth Legislative Session with the recommended changes to those joint rules for the Ninety-ninth
22 Legislative Session as adopted in March, 2023, be adopted as the temporary joint rules for the
23 Ninety-ninth Legislative Session.

24 And the roll being called:

25 Yeas 66, Nays 1, Excused 2, Absent 0

26 Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, DeGroot,
27 Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann,
28 Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,
29 Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulder, Nelson, Odenbach, Otten (Ernie),
30 Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Randolph, Rehfeldt, Reimer, Reisch,
31 Sauder, Schaeffbauer, Schneider, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen,
32 Wangsness, Weisgram, Wittman, and Speaker Bartels

33 Nays: Mulally

34 Excused: Pourier and Shorma

35 So the motion having received an affirmative vote of a majority of the members-elect, the
36 Speaker declared the motion carried.

37 Rep. Mortenson moved that a committee of five on the part of the House be appointed to meet
38 with a committee of six on the part of the Senate to arrange for a memorial recognition of deceased
39 former members of the House and Senate.

40 Which motion prevailed and the Speaker appointed as such committee Reps. Stevens (Chair),
41 Hansen, Lesmeister, Schaeffbauer, and Schneider.

1

Local Government (13 Members)

2

****Drury, *Fitzgerald,** Auch, Aylward, Bahmuller, Callies, Jamison, Ladner, Lems, Overweg,
3 Peterson (Sue), Sjaarda, Wittman

4

Military and Veterans Affairs (13 Members)

5

****Reisch, *Teunissen,** Auch, Aylward, Callies, Deutsch, Drury, Gross, Moore, Pourier,
6 Sauder, Shorma, Wangsness

7

Retirement Laws (5 Members)

8

****Bartels, *Weisgram,** Nelson, Perry, Pinnow

9

State Affairs (13 Members)

10

****Mortenson, *Rehfeldt,** Bartels, Blare, Cammack, Chaffee, Chase, Drury, Hansen, Healy,
11 Lesmeister, Reimer, Wangsness

12

Taxation (13 Members)

13

****Chaffee, *Jamison,** Aylward, DeGroot, Duffy, Jensen (Phil), Massie, May, Perry, Peterson
14 (Sue), Pinnow, Pourier, Randolph

15

Transportation (13 Members)

16

****Blare, *Gross,** Duffy, Emery, Jensen (Kevin), Krohmer, May, Mulally, Peterson (Drew),
17 Randolph, Schaeftbauer, Shorma, Teunissen

18

MR. SPEAKER:

19

The Committee on Legislative Procedure respectfully reports that the Governor has been
20 notified that the Legislature is duly organized and ready to meet in Joint Session to receive any
21 communications she may desire to transmit and that the Governor is ready to appear before the
22 Joint Session to deliver her message.

23

Also, MR. SPEAKER:

24

The Committee on Legislative Procedure respectfully reports that arrangements have been
25 made for a Joint Session of the Senate and the House of Representatives to receive the message of
26 the Governor. And:

27

That the Senate and the House will convene in Joint Session in the Chamber of the House of
28 Representatives at 1:00 p.m., January 9, 2024.

29

That the President of the Senate preside over the Joint Session and that the Secretary of the
30 Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

31

That the Justices of the Supreme Court and the elective and appointed officials of the state
32 government be invited to attend the Joint Session.

33

That when the message of the Governor has been received, the Joint Session be dissolved.

34

That the message of the Governor be printed in the Senate Journal.

1 Also, MR. SPEAKER:

2 The Committee on Legislative Procedure respectfully reports that arrangements have been
 3 made for a Joint Session of the Senate and the House of Representatives to receive a message of
 4 the Chief Justice of the Supreme Court. And:

5 That the Senate and the House convene in Joint Session in the Chamber of the House of
 6 Representatives at 11:00 a.m., January 10, 2024.

7 That the President of the Senate preside over the Joint Session and that the Secretary of the
 8 Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

9 That the Justices of the Supreme Court, the Governor and elective and appointed officials of
 10 the state government be invited to attend the Joint Session.

11 That when the message of the Chief Justice has been received, the Joint Session be dissolved.

12 That the message of the Chief Justice be printed in the Senate Journal.

13 Also, MR. SPEAKER:

14 The Committee on Legislative Procedure respectfully reports that arrangements have been
 15 made for a Joint Session of the Senate and the House of Representatives to receive a message of
 16 the State of the Tribes from a Tribal Chairman. And:

17 That the Senate and the House convene in Joint Session in the Chamber of the House of
 18 Representatives at 1:00 p.m., January 10, 2024.

19 That the President of the Senate preside over the Joint Session and that the Secretary of the
 20 Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

21 That the Justices of the Supreme Court, the Governor and elective and appointed officials of
 22 the state government be invited to attend the Joint Session.

23 That when the message of the Tribal Chairman has been received, the Joint Session be
 24 dissolved.

25 That the message of the Tribal Chairman be printed in the Senate Journal.

26 **STATE OF SOUTH DAKOTA**
 27 **OFFICE OF THE GOVERNOR**
 28 **EXECUTIVE ORDER 2024-01**

29 **Whereas**, Article IV, Section 8, of the Constitution of the State of South Dakota provides in
 30 relevant part that, "Except as to elected constitutional officers, the Governor may make such
 31 changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in
 32 allocation of their functions, powers and duties, as [the Governor] considers necessary for efficient
 33 administration. If such changes affect existing law, they shall be set forth in executive orders, which
 34 shall be submitted to the Legislature within five legislative days after it convenes, and shall become
 35 effective, and shall have the force of law, within ninety days after submission, unless disapproved
 36 by a resolution concurred in by a majority of all the members of either house"; and,

37 **Whereas**, This Executive Order has been submitted to the 99th Legislative Assembly on the
 38 1st legislative day, the 9th day of January, 2024:

39 **IT IS, THEREFORE, BY EXECUTIVE ORDER**, directed that the executive branch of state
 40 government be reorganized to comply with the following sections of this Order.

1 GENERAL PROVISIONS

2 **Section 1.** This Executive Order shall be known and may be cited as the “Executive
3 Reorganization Order 2024-01”.

4 **Section 2.** Any agency not enumerated in this Order but established by law within
5 another agency which is transferred to a principal department under this Order, shall also be
6 transferred in its current form to the same principal department and its functions shall be allocated
7 between itself and the principal department as they are now allocated between itself and the agency
8 within which it is established.

9 **Section 3.** “Agency” as used in this Order shall mean any board, authority,
10 commission, department, bureau, division, or any other unit or organization of state government.

11 **Section 4.** “Function” as used in this Order shall mean any authority, power,
12 responsibility, duty, or activity of an agency, whether or not provided for by law.

13 **Section 5.** Unless otherwise provided by this Order, division directors shall be
14 appointed by the head of the agency of which the division is a part and shall be removable at the
15 pleasure of the agency head, provided that the appointment and removal of division directors shall
16 be subject to approval by the Governor.

17 **Section 6.** It is the intent of this Order not to repeal or amend any laws relating to
18 functions performed by an agency, unless the intent is specifically expressed in this Order or unless
19 there is an irreconcilable conflict between this Order and those laws.

20 **Section 7.** If a part of this Order is invalid, all valid parts that are severable from the
21 invalid part remain in effect. If a part of this Order is invalid in one or more of its applications, the
22 part remains in effect in all valid applications.

23 **Section 8.** Except when inconsistent with the other provisions of this Order, all rules,
24 regulations, and standards of the agencies reorganized by this Order, in effect on the effective date
25 of this Order, shall continue with full force and effect until they are specifically altered, amended,
26 or revoked in the manner provided by law, unless the statutory authority for the rules, regulations,
27 and standards is superseded by this Order.

28 **Section 9.** It is hereby declared that the sections, clauses, sentences, and parts of this
29 Order are severable, are not matters of mutual essential inducement, and any of them may be
30 excised by any court of competent jurisdiction if any section, clause, sentence, or part of this Order
31 would otherwise be unconstitutional or ineffective.

32 **Section 10.** The rights, privileges, and duties of, including but not limited to, the holders
33 of bonds and other obligations issued, and of the parties to contracts, leases, indentures, loan
34 agreements, and other transactions, entered into before the effective date of this Order by the state
35 or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein,
36 remain in effect, and none of those rights, privileges, duties, covenants, or agreements are impaired
37 or diminished by abolition of an agency in this Order. The agency to which functions of another
38 agency are transferred is substituted for that agency and succeeds to its rights and leases,
39 indentures, privileges, duties, covenants, agreements, and other transactions.

40 **Section 11.** No judicial or administrative suit, action, or other proceeding lawfully
41 commenced before the effective date of this Order by or against any agency or any officer of the
42 state, in their official capacity or in relation to the discharge of their official duties, shall abate or be
43 affected by reason of the taking effect of any reorganization under the provisions of this Order. The
44 court may allow the suit, action, or other proceeding to be maintained by or against the successor
45 of any agency or any officer affected by this Order.

46 **Section 12.** If any part of this Order is ruled to be in conflict with federal requirements
47 which are a prescribed condition to the receipt of federal aid by the state, an agency, or a political
48 subdivision, that part of this Order has no effect and the Governor may by executive order make

1 necessary changes to this Order to receive federal aid, and the changes will remain in effect until
2 the last legislative day of the next legislative session or until the Legislature completes legislation
3 addressed to the same question, whichever comes first.

4 **Section 13.** Pursuant to § 2-16-9, the Code Commission and code counsel of the
5 Legislative Research Council are requested to make the name and title changes necessary to
6 correlate and integrate the organizational changes made by this Executive Reorganization Order
7 into the South Dakota Codified Laws.

8 **Section 14.** Any provisions of law in conflict with this Order are superseded.

9 **Section 15.** Whenever a function is transferred by this Order, all personnel, records,
10 property, unexpended balances of appropriations, allocations, or other funds utilized in performing
11 the function are also transferred by this Order.

12 **Section 16.** The effective date of this Executive Reorganization Order 202X-XX shall be
13 ninety days after its submission to the Legislature.

14 **Bureau of Human Resources and Administration Created.**

15 **Section 17.** There is hereby created a Bureau of Human Resources and Administration.
16 The head of the Bureau of Human Resources and Administration will be the Commissioner of the
17 Bureau of Human Resources and Administration who shall be appointed by, and serve at the pleasure
18 of, the Governor pursuant to § 1-33-4.

19 **Section 18.** Except as otherwise provided in this Order, the functions and programs of
20 the former Bureau of Administration and the former Bureau of Human Resources, along with the
21 functions of the former Commissioner of Administration and the former Commissioner of Human
22 Resources are hereby transferred to the Bureau of Human Resources and Administration and the
23 Commissioner of Human Resources and Administration, respectively.

24 **Bureau of Human Resources Abolished. Functions of former Bureau of Human
25 Resources transferred to Bureau of Human Resources and Administration.**

26 **Section 19.** The Bureau of Human Resources is hereby abolished. The position of
27 Commissioner of Human Resources is hereby abolished.

28 **Section 20.** The Bureau of Human Resources Student Internship created under § 1-33-
29 10.1 and its functions are transferred to the Bureau of Human Resources and Administration.

30 **Bureau of Administration Abolished. Functions of former Bureau of Administration
31 transferred to Bureau of Human Resources and Administration.**

32 **Section 21.** The Bureau of Administration is hereby abolished. The position of
33 Commissioner of Administration is hereby abolished.

34 **Section 22.** The Administrative functions performed by Bureau of Administration for
35 boards and commissions created under § 1-33-8.1 and their functions are transferred to the Bureau
36 of Human Resources and Administration.

37 **Other Reorganization Provisions**

38 **Section 23.** That § 1-14-2 be REPEALED: ~~No person may be appointed as the~~
39 ~~commissioner of administration unless the person has had progressively responsible experience in~~
40 ~~administration.~~

41 **Section 24.** That § 1-14-3 be REPEALED: ~~The commissioner of administration, under the~~
42 ~~general direction and control of the Governor, shall execute the powers and discharge the duties~~

1 ~~vested by law in the Bureau of Administration. The commissioner shall qualify by taking and filing~~
 2 ~~with the secretary of state the constitutional oath of office.~~

3 **Section 25.** That § 1-14-12 be REPEALED: ~~The commissioner of administration shall~~
 4 ~~administer the Bureau of Administration. The bureau shall:~~

- 5 ~~(1) Keep an exact and true inventory of all property, real and personal, belonging to the State~~
 6 ~~of South Dakota and promulgate rules pursuant to chapter 1-26 enumerating the types~~
 7 ~~and classes of public personal property to be included in the inventory required by § 5-~~
 8 ~~24-1;~~
- 9 ~~(2) Administer the procurement of supplies, services, and public improvements as prescribed~~
 10 ~~in chapters 5-18A, 5-18B, and 5-18D;~~
- 11 ~~(3) Supervise such central administrative services as transportation, mail, records~~
 12 ~~management, and document reproduction services, make provisions for the supplying of~~
 13 ~~office supplies and furniture;~~
- 14 ~~(4) Maintain the buildings and grounds of the capitol complex and install central facilities to~~
 15 ~~be used by all state agencies under such rules the Bureau of Administration promulgates~~
 16 ~~pursuant to chapter 1-26;~~
- 17 ~~(5) Contract for the provision of food services, candy, and beverages in the capitol complex;~~
- 18 ~~(6) Supervise the administration of the Office of Hearings Examiners;~~
- 19 ~~(7) Administer the federal surplus property allotted to the State of South Dakota;~~
- 20 ~~(8) Provide for the lease of such real property as shall be necessary for the operation of state~~
 21 ~~government;~~
- 22 ~~(9) Administer a program of risk management for state government;~~
- 23 ~~(10) Contract for such services as are required by multiple state agencies, if such a contract~~
 24 ~~improves the efficiency of state government; and~~
- 25 ~~(11) Any other function as may be required by statute, executive order, or administrative~~
 26 ~~action.~~

27 **Section 26.** That chapter 1-33 be amended with a NEW SECTION:
 28 No person may be appointed as the commissioner of human resources and administration
 29 unless the person has had experience in administration.

30 **Section 27.** That chapter 1-33 be amended with a NEW SECTION:
 31 The commissioner of human resources and administration, under the general direction and
 32 control of the Governor, shall execute the powers and discharge the duties vested by law in the
 33 Bureau of Human Resources and Administration. The commissioner shall qualify by taking and filing
 34 with the secretary of state the constitutional oath of office.

35 **Section 28.** That § 1-33-9 be AMENDED:
 36 The Bureau of Human Resources and Administration shall:
 37 (1) Provide workers' compensation coverage and a group health and flexible benefit plan for
 38 all state employees unless such duties are delegated to another agency pursuant to
 39 chapter 1-24;
 40 (2) Administer recruitment and classification for all civil service employees unless such duties
 41 are delegated to another agency pursuant to chapter 1-24;
 42 (3) Provide human resource management and programs including programs governing human
 43 resource planning, training and development, internships, performance evaluation,
 44 employee assessment and testing, classification, compensation, recruitment, and other
 45 matters relating to human resource management for all of the executive branch of state
 46 government under the control of the Governor and by agreement for other state
 47 government agencies;
 48 (4) Perform all administrative functions for the Civil Service Commission;

- 1 (5) ~~Employ such staff as are necessary to perform its duties; and~~
- 2 (6) ~~Contract as is necessary to perform its duties;~~
- 3 (7) Keep an exact and true inventory of all property, real and personal, belonging to the state
- 4 and promulgate rules pursuant to chapter 1-26 enumerating the types and classes of
- 5 public personal property to be included in the inventory required by § 5-24-1;
- 6 (8) Administer the procurement of supplies, services, and public improvements as prescribed
- 7 in chapters 5-18A, 5-18B, and 5-18D;
- 8 (9) Supervise such central administrative services as transportation, mail, records
- 9 management, and document reproduction services, and make provisions for the
- 10 supplying of office supplies and furniture;
- 11 (10) Maintain the buildings and grounds of the capitol complex and install central facilities to
- 12 be used by all state agencies under rules the bureau promulgates pursuant to chapter 1-
- 13 26;
- 14 (11) Contract for the provision of food services, candy, and beverages in the capitol complex;
- 15 (12) Supervise the administration of the Office of Hearings Examiners;
- 16 (13) Administer the federal surplus property allotted to the state;
- 17 (14) Provide for the lease of real property necessary for the operation of state government;
- 18 (15) Administer a program of risk management for state government;
- 19 (16) Contract for services required by multiple state agencies, if the contract improves the
- 20 efficiency of state government; and
- 21 (17) Take any other function as may be required by statute, executive order, or administrative
- 22 action.

23 **Section 29.** That chapter 1-33 be amended with a NEW SECTION:
 24 The Bureau of Human Resources and Administration shall perform all administrative functions
 25 except special budgetary functions (as defined in § 1-32-1) of the following agencies:
 26 (1) The Records Destruction Board created by chapter 1-27; and
 27 (2) The Capitol Complex Restoration and Beautification Commission continued by chapter 5-
 28 15.

29 **Section 30.** That § 1-33-3 be AMENDED:
 30 The Department of Executive Management consists of the Bureau of Finance and Management,
 31 the Bureau of ~~Administration, the Bureau of Human Resources and Administration,~~ the Bureau of
 32 Information and Telecommunications, the Governor's Office of Economic Development, and any
 33 other agencies created by administrative action or law and placed under the Department of
 34 Executive Management.

35 **Section 31.** Pursuant to § 2-16-9, the Code Commission and code counsel of the
 36 Legislative Research Council are requested to transfer the following sections to chapter 1-33, update
 37 the cross-references, and amend the following sections by striking "Bureau of Administration", and
 38 inserting "Bureau of Human Resources and Administration" and by striking "commissioner of
 39 administration", and inserting "commissioner of human resources and administration":

40 Title 1:
 41 1-33-9.1; 1-14-3.1; 1-14-4; 1-14-12.14; 1-14-12.15; 1-14-12.16; 1-14-12.17; 1-14-14; 1-14-
 42 14.1; 1-14-18; 1-14-19.

43 **Section 32.** Pursuant to § 2-16-9, the Code Commission and code counsel of the
 44 Legislative Research Council are requested to transfer § 1-33-64 to chapter 1-33.

45 **Section 33.** That § 1-33-10 be REPEALED: ~~The Bureau of Human Resources is~~
 46 ~~administered by a commissioner appointed by the Governor with the advice and consent of the~~
 47 ~~Senate. The commissioner serves at the pleasure of the Governor.~~

48 **Section 34.** Pursuant to § 2-16-9, the Code Commission and Code Counsel of the
 49 Legislative Research Council are requested to amend the following sections by striking "Bureau of

1 Administration” and inserting “Bureau of Human Resources and Administration” and by striking
 2 “commissioner of the bureau of administration” or by striking “commissioner of administration” and
 3 inserting “commissioner of human resources and administration”:

4 Title 1:
 5 1-6-6; 1-6-17; 1-6-18; 1-6-19; 1-6-21; 1-15-10; 1-26A-8; 1-26D-1; 1-27-11.1; 1-27-12; 1-27-
 6 12.1; 1-27-16; 1-27-17; 1-27-35; 1-27-45; 1-33-3; 1-33-42; 1-33B-6; 1-36A-1.11; 1-36A-1.19;
 7 1-55-2; 1-55-4; 1-55-14; 1-55-15

8 Title 2:
 9 2-7-1; 2-13-7; 2-13-12; 2-16-19

10 Title 3:
 11 3-1-5; 3-5-5.1; 3-22-2; 3-22-5; 3-22-12

12 Title 4:
 13 4-7-5; 4-8A-7

14 Title 5:
 15 5-12-11.1; 5-12-12; 5-12-13; 5-12-37; 5-14-2; 5-14-3; 5-14-4; 5-14-5; 5-14-6; 5-14-8.1; 5-14-
 16 9; 5-14-11; 5-14-30; 5-14-31; 5-14-34; 5-14-35; 5-14-36; 5-14-37; 5-14-38; 5-14-39; 5-14-40;
 17 5-15-1.1; 5-15-5; 5-15-6; 5-15-9; 5-15-24; 5-15-25; 5-15-26; 5-15-27; 5-15-28; 5-15-29; 5-15-
 18 30; 5-15-34; 5-15-45; 5-18A-11; 5-18A-13; 5-18A-22; 5-18A-27; 5-18A-28; 5-18A-34; 5-18A-38;
 19 5-18A-41; 5-18A-52; 5-18B-5; 5-18B-20; 5-18D-1; 5-18D-2; 5-18D-3; 5-18D-4; 5-18D-5; 5-18D-
 20 6; 5-18D-7; 5-18D-8; 5-18D-9; 5-18D-10; 5-18D-11; 5-18D-12; 5-18D-13; 5-18D-14; 5-18D-15;
 21 5-18D-16; 5-18D-17; 5-18D-23; 5-18D-24; 5-24-1; 5-24-1.1; 5-24-3; 5-24-7; 5-24-13; 5-24-14;
 22 5-24A-1; 5-24A-2; 5-24A-14; 5-24A-16; 5-25-4

23 Title 6:
 24 6-13-14

25 Title 13:
 26 13-49-15

27 Title 15:
 28 15-39-47

29 Title 17:
 30 17-2-19

31 Title 23:
 32 23-3-8

33 Title 31:
 34 31-2-27

35 Title 34:
 36 34-31-6

37 Title 38:
 38 38-20-2

39 Title 41:
 40 41-2-20

41 Title 46A:
 42 46A-1-80.1

43 **Section 35.** Pursuant to § 2-16-9, the Code Commission and code counsel of the
 44 Legislative Research Council are requested to amend the following sections by striking “Bureau of

1 Human Resources” and inserting “Bureau of Human Resources and Administration” and by striking
2 “commissioner of the bureau of human resources” and inserting “commissioner of the bureau of
3 human resources and administration”:

4 Title 1:
5 1-18C-3; 1-18C-6; 1-33-10.1

6 Title 2:
7 2-14-2

8 Title 3:
9 3-6C-1; 3-8-13; 3-12C-101

10 Title 5:
11 5-18A-17.2; 5-18A-17.3; 5-18A-49; 5-24A-18

12 Title 15:
13 15-15A-7

14 Title 26:
15 26-8A-12.2

16 Title 36:
17 36-25-12

18 Title 38:
19 38-1-12; 38-1-13; 38-10-14

20 Title 49:
21 49-1-7

22 Title 58:
23 58-2-13; 58-2-17; 58-17-145.1

24 Dated in Pierre, South Dakota this 9th day of January, 2024.

25
26

Kristi Noem
Governor of South Dakota

27
28
29

ATTEST:
Monae L. Johnson
Secretary of State

30 Rep. Mortenson moved that when we adjourn today, we adjourn to convene at 10:30 a.m. on
31 January 10, 2024, the 2nd legislative day.

32 Which motion prevailed.

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

34 The Speaker declared that **HB 1010 and 1037** were withdrawn at the request of the prime
35 sponsors pursuant to JR 6B-1.1.

1 **HB 1030:** FOR AN ACT ENTITLED, An Act to update statutory and regulatory references
2 pertaining to water pollution.

3 Introduced by: The Chair of the Committee on Agriculture and Natural Resources at the request
4 of the Department of Agriculture and Natural Resources

5 **HB 1031:** FOR AN ACT ENTITLED, An Act to update the development and implementation of
6 conservation district standards.

7 Introduced by: The Chair of the Committee on Agriculture and Natural Resources at the request
8 of the Department of Agriculture and Natural Resources

9 **HB 1032:** FOR AN ACT ENTITLED, An Act to extend to veterinarians provisions governing
10 drugs, medicines, and various biological products that are prepared for animal use.

11 Introduced by: The Chair of the Committee on Agriculture and Natural Resources at the request
12 of the Department of Agriculture and Natural Resources

13 **HB 1033:** FOR AN ACT ENTITLED, An Act to address the administration of State Conservation
14 Commission functions by the Department of Agriculture and Natural Resources.

15 Introduced by: The Chair of the Committee on Agriculture and Natural Resources at the request
16 of the Department of Agriculture and Natural Resources

17 **HB 1043:** FOR AN ACT ENTITLED, An Act to classify lithium as a precious metal for the purpose
18 of taxation and to authorize a new tax.

19 Introduced by: **Representative** Chaffee

20 Were read the first time and referred to the Committee on Agriculture and Natural Resources.

21 **HB 1034:** FOR AN ACT ENTITLED, An Act to require hydrogen pipelines to be permitted by the
22 Public Utilities Commission.

23 Introduced by: The Chair of the Committee on Commerce and Energy at the request of the
24 Public Utilities Commission

25 **HB 1054:** FOR AN ACT ENTITLED, An Act to amend requirements for cosmetology
26 apprenticeships.

27 Introduced by: **Representative** Moore

28 **HB 1058:** FOR AN ACT ENTITLED, An Act to modify agency reporting requirements on
29 licensure, certification, job placements, and the labor market.

30 Introduced by: The Chair of the Committee on Commerce and Energy at the request of the
31 Department of Labor and Regulation

32 **HB 1059:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding insurance
33 holding companies.

34 Introduced by: The Chair of the Committee on Commerce and Energy at the request of the
35 Department of Labor and Regulation

36 Were read the first time and referred to the Committee on Commerce and Energy.

1 **HB 1049:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to accept and use
2 easement proceeds for the purposes authorized by the 2022 Session Laws, chapter 198.

3 Introduced by: The Chair of the House Committee on Appropriations at the request of the
4 Board of Regents

5 **HB 1060:** FOR AN ACT ENTITLED, An Act to revise certain provisions related to travel
6 reimbursement.

7 Introduced by: The Chair of the House Committee on Appropriations at the request of the
8 Bureau of Finance and Management

9 Were read the first time and referred to the House Committee on Appropriations.

10 **HB 1002:** FOR AN ACT ENTITLED, An Act to require administration of the ACT to public school
11 students in grade eleven.

12 Introduced by: **Representative** Venhuizen

13 **HB 1020:** FOR AN ACT ENTITLED, An Act to revise the method by which completion of a
14 required suicide awareness and prevention training is verified.

15 Introduced by: The Chair of the Committee on Education at the request of the Department of
16 Education

17 **HB 1021:** FOR AN ACT ENTITLED, An Act to merge the Professional Teachers Practices and
18 Standards Commission and the Professional Administrators Practices and Standards Commission.

19 Introduced by: The Chair of the Committee on Education at the request of the Department of
20 Education

21 **HB 1022:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of
22 Education to provide professional development in literacy to teachers, and to declare an emergency.

23 Introduced by: The Chair of the House Committee on Appropriations at the request of the
24 Department of Education

25 **HB 1042:** FOR AN ACT ENTITLED, An Act to establish parameters for the reimbursement of
26 school districts that provide free or reduced price meals to students.

27 Introduced by: **Representative** Wittman

28 **HB 1048:** FOR AN ACT ENTITLED, An Act to revise the requirements pertaining to the target
29 teacher salary.

30 Introduced by: The Chair of the Committee on Education at the request of the Department of
31 Education

32 Were read the first time and referred to the Committee on Education.

33 **HB 1012:** FOR AN ACT ENTITLED, An Act to adopt the interstate counseling licensure compact
34 and revise educational requirements to comply with the compact.

35 Introduced by: **Representative** Rehfeldt and **Senator** Tobin at the request of the Committee
36 on Sustainable Models for Long Term Care

1 **HB 1013:** FOR AN ACT ENTITLED, An Act to adopt the advanced practice registered nurse
2 compact.

3 Introduced by: **Representative** Rehfeldt and **Senator** Tobin at the request of the Committee
4 on Sustainable Models for Long Term Care

5 **HB 1014:** FOR AN ACT ENTITLED, An Act to amend the criteria for designation as a regional
6 nursing facility and applicable reimbursement.

7 Introduced by: **Representative** Bartels and **Senator** Hunhoff at the request of the Committee
8 on Sustainable Models for Long Term Care

9 **HB 1015:** FOR AN ACT ENTITLED, An Act to adopt the social work licensure compact.

10 Introduced by: **Representative** Mulder and **Senator** Tobin at the request of the Committee
11 on Sustainable Models for Long Term Care

12 **HB 1016:** FOR AN ACT ENTITLED, An Act to conduct a feasibility study on the medicaid
13 program of all-inclusive care for the elderly and make an appropriation therefor.

14 Introduced by: **Representative** Heermann and **Senator** Davis at the request of the
15 Committee on Sustainable Models for Long Term Care

16 **HB 1017:** FOR AN ACT ENTITLED, An Act to adopt the psychology interjurisdictional licensure
17 compact.

18 Introduced by: **Representative** Duba and **Senator** Tobin at the request of the Committee on
19 Sustainable Models for Long Term Care

20 **HB 1027:** FOR AN ACT ENTITLED, An Act to modify substances listed on the controlled
21 substances schedule and to declare an emergency.

22 Introduced by: The Chair of the Committee on Health and Human Services at the request of
23 the Department of Health

24 **HB 1028:** FOR AN ACT ENTITLED, An Act to classify xylazine as a Schedule III controlled
25 substance, establish permissible uses, and to declare an emergency.

26 Introduced by: The Chair of the Committee on Health and Human Services at the request of
27 the Department of Health

28 **HB 1029:** FOR AN ACT ENTITLED, An Act to modify and repeal provisions related to the
29 licensure of hearing aid dispensers and audiologists.

30 Introduced by: The Chair of the Committee on Health and Human Services at the request of
31 the Board of Hearing Aid Dispensers and Audiologists

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

33 **HB 1004:** FOR AN ACT ENTITLED, An Act to update the official code of laws.

34 Introduced by: The Chair of the Committee on Judiciary at the request of the Code Commission

35 **HB 1005:** FOR AN ACT ENTITLED, An Act to revise the manner of citing the Administrative
36 Rules of South Dakota.

37 Introduced by: **Representatives** Hansen, DeGroot, and Healy and **Senators** Hunhoff, Foster,
38 and Mehlhaff at the request of the Interim Committee on Rules Review

1 **HB 1006:** FOR AN ACT ENTITLED, An Act to increase the amount of time permitted the Interim
2 Rules Review Committee to review final permanent rulemaking materials.

3 Introduced by: **Representatives** Hansen, DeGroot, and Healy and **Senators** Hunhoff, Foster,
4 and Mehlhaff at the request of the Interim Committee on Rules Review

5 **HB 1023:** FOR AN ACT ENTITLED, An Act to provide immunity from liability for certain actions
6 of the State Bar and its agents.

7 Introduced by: **Representative** Fitzgerald

8 **HB 1024:** FOR AN ACT ENTITLED, An Act to require that an application for a medical marijuana
9 registry identification card include a notice and acknowledgement of federal law regarding firearms
10 and the unlawful use of a controlled substance.

11 Introduced by: **Representative** Jensen (Kevin)

12 **HB 1025:** FOR AN ACT ENTITLED, An Act to establish the crime of exposure of a law
13 enforcement officer to a controlled drug or substance and to provide a penalty therefor.

14 Introduced by: **Representative** Krohmer

15 **HB 1036:** FOR AN ACT ENTITLED, An Act to require that a dispensary post notice of the federal
16 law regarding possession of a firearm and the use of marijuana and to provide a civil penalty.

17 Introduced by: **Representative** Jensen (Kevin)

18 **HB 1038:** FOR AN ACT ENTITLED, An Act to exclude certain habitual DUI offenders from
19 eligibility for presumptive probation.

20 Introduced by: **Representative** Fitzgerald

21 **HB 1045:** FOR AN ACT ENTITLED, An Act to revise provisions relating to the possession,
22 manufacture, and distribution of child pornography.

23 Introduced by: **Representative** Deutsch

24 **HB 1046:** FOR AN ACT ENTITLED, An Act to prohibit the intentional disarming of a law
25 enforcement officer and to provide a penalty therefor.

26 Introduced by: **Representative** Kull

27 **HB 1047:** FOR AN ACT ENTITLED, An Act to enhance the penalties for eluding law
28 enforcement.

29 Introduced by: **Representative** Kull

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

31 **HB 1026:** FOR AN ACT ENTITLED, An Act to clarify the requirement for the construction or
32 expansion of a municipal campground or tourist accommodation facility.

33 Introduced by: **Representative** Krohmer

34 Was read the first time and referred to the Committee on Local Government.

1 **HB 1007:** FOR AN ACT ENTITLED, An Act to amend the requirement to employ a county
2 veterans' service officer.

3 Introduced by: The Chair of the Committee on Military and Veterans Affairs at the request of
4 the Department of Veterans Affairs

5 **HB 1008:** FOR AN ACT ENTITLED, An Act to modify the eligibility for admission to the state
6 veterans' home and repeal the residency requirement.

7 Introduced by: The Chair of the Committee on Military and Veterans Affairs at the request of
8 the Department of Veterans Affairs

9 Were read the first time and referred to the Committee on Military and Veterans Affairs.

10 **HB 1003:** FOR AN ACT ENTITLED, An Act to update a reference to the Internal Revenue Code
11 for purposes of higher education savings plans.

12 Introduced by: The Chair of the Committee on State Affairs at the request of the State
13 Investment Council

14 **HB 1009:** FOR AN ACT ENTITLED, An Act to modify the observation of time in South Dakota.

15 Introduced by: **Representative** Krohmer

16 **HB 1011:** FOR AN ACT ENTITLED, An Act to revise the membership of the South Dakota
17 Capitol Complex Restoration and Beautification Commission.

18 Introduced by: **Representative** Mortenson

19 **HB 1035:** FOR AN ACT ENTITLED, An Act to extend the period of renewal for an enhanced
20 permit to carry a concealed pistol.

21 Introduced by: **Representative** Jensen (Kevin)

22 **HB 1039:** FOR AN ACT ENTITLED, An Act to provide for the payment of legal expenses
23 originating from crime committed at a facility maintained by the Department of Corrections.

24 Introduced by: **Representative** Otten (Ernie)

25 **HB 1040:** FOR AN ACT ENTITLED, An Act to limit annual valuation increases on owner-
26 occupied single-family dwellings.

27 Introduced by: **Representative** Ladner

28 **HB 1041:** FOR AN ACT ENTITLED, An Act to modify the definition of public infrastructure to
29 allow a federally recognized Indian tribe to be eligible for housing infrastructure grants and loans
30 and to declare an emergency.

31 Introduced by: **Representative** Tordsen

32 **HB 1044:** FOR AN ACT ENTITLED, An Act to update the United States census survey used to
33 ascertain and adjust the salary of members of the Legislature.

34 Introduced by: **Representative** Duba

1 **HB 1052:** FOR AN ACT ENTITLED, An Act to increase the minimum fee required with an
2 application for construction of an energy conversion and transmission facility.

3 Introduced by: The Chair of the Committee on State Affairs at the request of the Public Utilities
4 Commission

5 **HB 1053:** FOR AN ACT ENTITLED, An Act to create term limits for public utilities
6 commissioners.

7 Introduced by: **Representative** Bartels

8 **HB 1055:** FOR AN ACT ENTITLED, An Act to raise the appraisal value of surplus property that
9 may be sold by a political subdivision without notice.

10 Introduced by: **Representative** Callies

11 **HB 1057:** FOR AN ACT ENTITLED, An Act to create the Commission on Indigent Legal Services
12 and Office of Indigent Legal Services.

13 Introduced by: The Chair of the Committee on State Affairs at the request of the Chief Justice

14 Were read the first time and referred to the Committee on State Affairs.

15 **HB 1001:** FOR AN ACT ENTITLED, An Act to repeal the expiration of a reduction in certain
16 gross receipts and use tax rates.

17 Introduced by: **Representative** Karr

18 **HB 1018:** FOR AN ACT ENTITLED, An Act to revise certain references to the Internal Revenue
19 Code.

20 Introduced by: The Chair of the Committee on Taxation at the request of the Department of
21 Revenue

22 **HB 1019:** FOR AN ACT ENTITLED, An Act to clarify language regarding sales and use tax in
23 certain statutes.

24 Introduced by: The Chair of the Committee on Taxation at the request of the Department of
25 Revenue

26 **HB 1056:** FOR AN ACT ENTITLED, An Act to increase the property tax exemption allowed for
27 certain veterans with a disability.

28 Introduced by: **Representative** Callies

29 Were read the first time and referred to the Committee on Taxation.

30 **HB 1050:** FOR AN ACT ENTITLED, An Act to update references to certain federal motor carrier
31 regulations.

32 Introduced by: The Chair of the Committee on Transportation at the request of the Department
33 of Public Safety

1 **HB 1051:** FOR AN ACT ENTITLED, An Act to make technical changes to provisions regarding
2 the compensation of agents.

3 Introduced by: The Chair of the Committee on Transportation at the request of the Department
4 of Public Safety

5 **HB 1063:** FOR AN ACT ENTITLED, An Act to amend the valuation service used to value
6 vehicles.

7 Introduced by: The Chair of the Committee on Transportation at the request of the Department
8 of Revenue

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

10 **HB 1061:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to
11 emergencies and disasters impacting the state and to declare an emergency.

12 Introduced by: The Chair of the House Committee on Appropriations at the request of the
13 Department of Public Safety

14 **HB 1062:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to the
15 suppression of wildfires impacting the state and to declare an emergency.

16 Introduced by: The Chair of the House Committee on Appropriations at the request of the
17 Department of Public Safety

18 **HB 1064:** FOR AN ACT ENTITLED, An Act to make an appropriation for increases in the
19 construction costs of infrastructure at Lake Alvin and Newell Lake, and to declare an emergency.

20 Introduced by: The Chair of the House Committee on Appropriations at the request of the
21 Department of Game, Fish and Parks

22 **HB 1065:** FOR AN ACT ENTITLED, An Act to make an appropriation for the design and
23 construction of a multi-use building on the grounds of the State Fair and to declare an emergency.

24 Introduced by: The Chair of the House Committee on Appropriations at the request of the
25 Department of Agriculture and Natural Resources

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

27 **HCR 6002:** A CONCURRENT RESOLUTION, To provide for an interim study regarding foreign
28 ownership of agricultural land.

29 Introduced by: **Representative** Mulally

30 Was read the first time and referred to the Committee on State Affairs.

31 **HCR 6001:** A CONCURRENT RESOLUTION, Supporting the Electoral College.

32 Introduced by: **Representative** Mulally

33 Was read the first time and the Speaker waived the committee referral pursuant to JR 6D-1.

1 Rep. Drury moved that the House do now adjourn, which motion prevailed and at 12:31 p.m.
2 the House adjourned.

3 Patricia Miller, Chief Clerk

4 **JOINT SESSION**

5 The Senate convened with the House of Representatives in the House Chamber for the purpose
6 of receiving a message from the Governor, Kristi Noem. The President of the Senate, Larry Rhoden,
7 presided.

8 The following prayer was delivered by Rev. Craig Wexler, Pierre/Fort Pierre Ministerial
9 Association, Pierre, South Dakota:

10 *We begin with a reading from Romans chapter eight: "Who will bring any charge against those*
11 *whom God has chosen? It is God who justifies. ³⁴ Who then is the one who condemns? No one.*
12 *Christ Jesus who died—more than that, who was raised to life—is at the right hand of God and is*
13 *also interceding for us. ³⁵ Who shall separate us from the love of Christ? Shall trouble or hardship*
14 *or persecution or famine or nakedness or danger or sword? ³⁶ As it is written: "For your sake we*
15 *face death all day long; we are considered as sheep to be slaughtered."^a³⁷ No, in all these things*
16 *we are more than conquerors through him who loved us. ³⁸ For I am convinced that neither death*
17 *nor life, neither angels nor demons,^[b] neither the present nor the future, nor any powers, ³⁹ neither*
18 *height nor depth, nor anything else in all creation, will be able to separate us from the love of*
19 *God that is in Christ Jesus our Lord."*

20 Almighty God, You once placed in our history, a man, Thomas Jefferson who was tasked by
21 Your sovereign will. But he also penned the words that have led us to what we now call a separation
22 of Church from the State. What *he didn't intend*, was for us to go our separate ways—to never
23 interact in the dealings and accountability of the people that You place in our paths each day. No,
24 Lord, what was meant by Jefferson, was that the government would never enter into the confines
25 of our faith in order to bring persecution for such faith, or to corrupt the faith with our own personal
26 and legal agendas in order to highjack the power away from You, Almighty and Holy God—and take
27 it for ourselves, in order to force everyone to go along with it, in lock step.

28 But gracious God, as Paul writes to the beloved Christians of Rome prior to his arrival in the
29 land that would later take his life because of his unwavering proclamation of the Gospel, nothing—
30 absolutely nothing—shall separate us from You, O, Lord. We pray today, that we might actually
31 consider and believe, that Your sovereignty has allowed our constituents to have prayerfully elected
32 us into these positions of leadership. I pray today, that each person in this room—every single
33 person in these hallways—every listener on the radio and the television would hear Your voice—
34 would know that You are working through all things—would trust in the agents that You have placed
35 in certain positions in order that they might fulfill Your will—not their own—and know in the depths
36 of their hearts that nothing—absolutely nothing will separate us from the Love of Christ.

37 Bring us Your wisdom. Help us to hold each other accountable with kindness and compassion.
38 Lead us in more listening, and less talking. Give us courage to stand for our faith, rather than
39 cowering in fear, worrying what everyone else thinks at any given time. Let Your Truth be made
40 known in our actions and words. Help us to create just laws based on Your will, listening to the
41 needs of our citizens. May Your Truth be made known—might each vote taken this session be in
42 consultation with spiritual leadership—not based on our feelings and our experiences—rather, on
43 Your will made known through Your mercy granted upon us. In Your Holy name we pray, Amen.

1 The Secretary of the Senate, Peggy Laurenz, called the roll of the Senate and the following
2 members were present:

3 Beal; Bolin; Bordeaux; Breitling; Crabtree; Davis; Deibert; Diedrich; Duhamel; Foster; Frye-
4 Mueller; Hoffman; Hunhoff; Johnson; Klumb; Kolbeck (Steve); Larson; Maher; Mehlhaff; Nesiba;
5 Novstrup; Otten (Herman); Pischke; Reed; Rohl; Schoenbeck; Schoenfish; Stalzer; Tobin; Wheeler;
6 Wiik; Wink; Zikmund

7 The Chief Clerk of the House of Representatives, Patricia Miller, called the roll of the House and
8 the following members were present:

9 Arlint; Auch; Aylward; Bahmuller; Blare; Callies; Cammack; Chaffee; Chase; DeGroot; Derby;
10 Deutsch; Donnell; Drury; Duba; Duffy; Emery; Fitzgerald; Gross; Hansen; Healy; Heermann;
11 Jamison; Jensen (Kevin); Jensen (Phil); Karr; Kassin; Koth; Krohmer; Krull; Kull; Ladner; Lems;
12 Lesmeister; Massie; May; Mills; Moore; Mortenson; Mulally; Mulder; Nelson; Odenbach; Otten
13 (Ernie); Overweg; Perry; Peterson (Drew); Peterson (Sue); Pinnow; Randolph; Rehfeldt; Reimer;
14 Reisch; Sauder; Schaefbauer; Schneider; Sjaarda; Soye; St. John; Stevens; Teunissen; Tordsen;
15 Venhuizen; Wangness; Weisgram; Wittman; Speaker Bartels.

16 Sen. Crabtree moved that a committee of ten on the part of the Senate and a committee of
17 five on the part of the House be appointed to escort the Honorable Kristi Noem, Governor of the
18 State of South Dakota, to the rostrum.

19 Which motion prevailed and the President announced as such committee Sens. Schoenbeck,
20 Crabtree, Nesiba, Bolin, Klumb, Kolbeck, Maher, Novstrup, Stalzer, and Wiik on the part of the
21 Senate and Reps. Stevens, Mortenson, Rehfeldt, Lesmeister, and Healy on the part of the House.

22 The Lieutenant Governor, Larry Rhoden, introduced the Honorable Kristi Noem, who delivered
23 the State of the State Address.

24 The Sergeant at Arms announced the arrival of the Honorable Kristi Noem, who was escorted
25 to the rostrum.

26 Sen. Crabtree moved that the Joint Session do now dissolve.

27 Which motion prevailed.

