

JOURNAL OF THE HOUSE

ONE HUNDREDTH SESSION

EIGHTEENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Monday, February 10, 2025

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

The prayer was offered by the Chaplain, Rev. Craig Wexler, followed by the Pledge of Allegiance led by House pages Ava Craven and Danica Euliss.

Roll Call: All members present except Rep. Nolz who was excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Secretary of the House has had under consideration the House Journal of the 17th 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 The oath of office was administered by Speaker Hansen to the following named pages:

2 Ava Craven, Danica Euliss, William Hanzlik, Hadley Hart, Aadyn Hosek, Christina Messerli,
3 Noel Mulder, Megan Munkvold, Taylyn Rausch, Harper Reichling, Melina Shields, Sabrina Strand,
4 Raegan Taylor.

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

6 The oath of office was administered by Speaker Hansen to Assistant to the Chief Clerk Shirleen
7 Fugitt.

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

9 **REPORTS OF STANDING COMMITTEES**

10 MR. SPEAKER:

11 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
12 Enrolling has carefully compared **HB 1002, 1003, 1004, 1029, 1030, 1031, and 1032** and finds
13 the same correctly enrolled.

14 Respectfully submitted,
15 Jon Hansen, Chair

16 MR. SPEAKER:

17 The Committee on Legislative Procedure respectfully reports that **HB 1033** was delivered to
18 his Excellency, the Governor, for his approval at 10:00 a.m., February 10, 2025.

19 Respectfully submitted,
20 Jon Hansen, Chair

21 MR. SPEAKER:

22 The House Committee on Appropriations respectfully reports that it has had under
23 consideration **HB 1021 and 1057** and returns the same with the recommendation that said bills
24 do pass.

25 Also MR. SPEAKER:

26 The House Committee on Appropriations respectfully reports that it has had under
27 consideration **HB 1189** and returns the same with the recommendation that said bill do pass, and
28 having been certified as uncontested, be placed on the consent calendar.

29 Respectfully submitted,
30 Mike Derby, Chair

31 MR. SPEAKER:

32 The Committee on House State Affairs respectfully reports that it has had under consideration
33 **HB 1066** and returns the same with the recommendation that said bill be amended as follows:

34 1066G

- 1 On page 1, line 4, of the House State Affairs Engrossed bill, delete " "residence"" and insert "
2 "resident""
- 3 On page 1, line 4, of the House State Affairs Engrossed bill, after "means" delete " the"
- 4 On page 1, line 5, of the House State Affairs Engrossed bill, remove the overstrikes from " an"
- 5 On page 1, line 5, of the House State Affairs Engrossed bill, after "an" insert " individual who
6 maintains an"
- 7 On page 1, line 6, of the House State Affairs Engrossed bill, delete " in which an" and insert "
8 where the"
- 9 On page 1, line 6, of the House State Affairs Engrossed bill, after "sleeps" delete " and to which
10 the"
- 11 On page 1, line 7, of the House State Affairs Engrossed bill, delete " individual returns" and
12 insert " for at least thirty consecutive days. An individual who is a resident of this state remains a
13 resident during an absence from this state, if the individual intends to return to this state"
- 14 On page 1, line 9, of the House State Affairs Engrossed bill, delete "An individual who leaves
15 the residence and" and insert " If an individual who is a resident of a county of this state,"
- 16 On page 1, line 10, of the House State Affairs Engrossed bill, delete " has not changed
17 residence" and insert ", the individual remains a resident of the county"
- 18 On page 1, line 11, of the House State Affairs Engrossed bill, delete " have gained residence
19 in any" and insert " be a resident of the"
- 20 On page 1, line 14, of the House State Affairs Engrossed bill, delete "retains residence in" and
21 insert " remains a resident of"
- 22 On page 1, line 14, of the House State Affairs Engrossed bill, delete " another residence has
23 been gained" and insert " the individual becomes a resident of another state"
- 24 On page 1, line 16, of the House State Affairs Engrossed bill, after "of" delete " making it the
25 person's individual's permanent home, the"
- 26 On page 1, line 16, of the House State Affairs Engrossed bill, after "person" insert " of becoming
27 a resident of that state or territory for any purpose, the"
- 28 On page 1, line 17, of the House State Affairs Engrossed bill, delete " loses residence in" and
29 insert " is no longer a resident"
- 30 On page 1, line 18, of the House State Affairs Engrossed bill, after "state." delete "Section 2.
31 That a NEW SECTION be added to chapter 12-1:
- 32 "
- 33 On page 1, line 19, of the House State Affairs Engrossed bill, after "12-1:" delete
34 "Notwithstanding § 12-1-4, an individual maintains residence in this state if the individual has
35 established residence in this state and then:
- 36 (1) Is absent from this state due to business of the United States or of this state and intends
37 to return to the individual's residence upon the completion of the business;
- 38 (2) Is on active duty as a member of the South Dakota National Guard or armed forces of the
39 United States and intends to return to the individual's residence upon the completion of active duty;

(3) Is the spouse of an individual who is absent from this state due to business of the United States or this state, or is on active duty as a member of the South Dakota National Guard or armed forces of the United States;

(4) Is absent from this state due to the individual's employment or volunteer work and intends to return to the individual's residence in this state upon completion of the employment or volunteer work;

(5) Is a family member accompanying an individual who:

(a) Is absent from this state due to the individual's employment or volunteer work; and

(b) Intends to return to the individual's residence in this state upon completion of the employment or volunteer work;

(6) Is a full-time postsecondary education student who resided in this state immediately prior to leaving for postsecondary education;

(7) Is enlisted as a member of the armed forces of the United States and is continuously stationed in this state;

(8) Is the spouse of an individual who is enlisted as a member of the armed forces of the United States and is continuously stationed in this state;

(9) Is a patient in any veterans' hospital or nursing home located within this state;

(10) Is an employee of the veterans' administration or any veterans' hospital in this state; or

(11) Resides on a restricted military reservation located in this state.

If an individual's residence is destroyed or rendered uninhabitable by fire or natural disaster, the individual maintains residence in this state if the individual intends to return to the residence as soon as the residence is made habitable."

On page 2, line 25, of the House State Affairs Engrossed bill, after "habitable." delete "Section 3. That a NEW SECTION be added to chapter 12-1:

"

On page 2, line 26, of the House State Affairs Engrossed bill, after "12-1:" delete "An individual loses residence in this state if the individual:

(1) Applies for, purchases, or accepts a resident hunting, fishing, or trapping license issued by another state, territory, or country;

(2) Registers to vote in another state, territory, or country;

(3) Accepts a driver license issued by another state, territory, or country; or

(4) Moves to another state, territory, or country and:

(a) Intends to establish the individual's domicile in that state, territory, or country; or

(b) Makes any claim of residency for any purpose in the state, territory, or country."

On page 3, line 3, of the House State Affairs Engrossed bill, delete " 4" and insert " 2"

On page 3, line 4, of the House State Affairs Engrossed bill, delete "Except as provided in section 3 of this Act, an" and insert " An"

On page 3, line 4, of the House State Affairs Engrossed bill, after "who" delete " maintains residence,"

On page 3, line 5, of the House State Affairs Engrossed bill, delete " pursuant to" and insert " is a resident of this state, as defined in"

On page 3, line 5, of the House State Affairs Engrossed bill, after "§ 12-1-4" delete " and section 2 of this Act, within the state for at least thirty consecutive days immediately prior to submitting the registration form"

On page 3, line 7, of the House State Affairs Engrossed bill, after "and" delete " who"

On page 3, line 13, of the House State Affairs Engrossed bill, delete " 5" and insert " 3"

On page 3, line 22, of the House State Affairs Engrossed bill, delete " Resides in" and insert " Is a resident of"

On page 3, line 22, of the House State Affairs Engrossed bill, delete " provided" and insert " defined"

On page 3, line 22, of the House State Affairs Engrossed bill, after "12-1-4" delete " and sections 2 and 3 of this Act"

On page 3, after line 28, of the House State Affairs Engrossed bill, insert: "

Section 2. That § 12-4-1.2 be AMENDED:

12-4-1.2. The voter registration form must include a certification of voter eligibility by which the applicant attests, under the penalty of perjury, that the applicant:

(1) Is a citizen of the United States;

(2) Will be eighteen years or older on or before the next election;

(3) ~~Has maintained residence in South Dakota for at least thirty days prior to submitting the registration form.~~ Is a resident of the state of South Dakota;

(4) Has not been judged mentally incompetent;

(5) Is not currently serving a sentence for a felony conviction; and

(6) Authorizes the cancellation of a previous registration, if applicable."

1066J

On the previously adopted amendment (1066G), On page 3, line 24, after "residence." delete "Section 3. That § 12-18-10 be AMENDED:"

On the previously adopted amendment (1066G), On page 3, line 25, after "AMENDED:" delete "12-18-10. "

On the previously adopted amendment (1066G), On page 3, line 25, after "12-18-10. " delete "If a person an individual makes an application for ballots a ballot, or if an absentee ballot has been cast, the person's individual's right to vote at that poll and election may be challenged only as to the person's identity as the person registered whom the person claims to be or on grounds that within whether the individual:"

On the previously adopted amendment (1066G), On page 4, line 3, after "individual:" delete "(1) Is actually the individual registered to vote;

(2) Within fifteen days preceding the election the person, has been convicted of a felony or declared by proper authority;

(3) Was declared to be mentally incompetent by a proper authority; or

(4) Resides in Is a resident of this state, as provided defined in § 12-1-4 and sections 2 and 3 of this Act.

The proceedings shall to challenge an individual's right to vote must be conducted before the precinct superintendent and precinct deputies, who shall determine from the evidence presented whether or not the person the individual is permitted to vote and the. The members of the precinct election board shall indicate beside the individual's name on the registration list the ground stated and the result of the precinct election board's decision."

And that as so amended, **HB 1066** do pass.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1169** and returns the same with the recommendation that said bill be amended as follows:

1169A

On page 1, line 10, of the Introduced bill, delete " ten" and insert " five"

And that as so amended, **HB 1169** do pass.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1216** and returns the same with the recommendation that said bill be amended as follows:

1216A

On page 1, line 3, of the Introduced bill, after "Dakota:" delete "Section 1. That § 2-7-6. 1 be AMENDED:"

On page 1, line 4, of the Introduced bill, after "AMENDED:" delete "2-7-6. 1. "

On page 1, line 4, of the Introduced bill, after "2-7-6.1. " delete "No bill or joint resolution may be introduced in either house of the Legislature by any committee thereof, except:

(1) A bill or a joint resolution introduced by any standing committee of either house;

(2) A bill or joint resolution referred to the Legislature from an interim committee of the State Legislative Research Council;

(3) A bill or joint resolution introduced, by one or more committee members upon majority vote of the interim committee, at the request of the interim:

(a) Rules Review Committee, the interim;

(b) Government Operations and Audit Committee, the interim ;

(c) Retirement Laws Committee, the interim;

(d) Joint Bonding Review Committee, and the interim;

(e) State-Tribal Relations Committee by one or more committee members upon majority vote of the interim committee; or

(f) Code Commission; or

(4) A bill or joint resolution introduced at the request of the Governor, an executive agency, or of the chief justice of the Supreme Court.

The committee shall obtain a written request for such the introduction from either the council Legislative Research Council, the Governor, the department head of an executive agency, a constitutional officer or board, or the chief justice, and shall retain such the request in its file. Committee bills introduced on behalf of a department head of an executive agency, a constitutional officer, or board may be introduced by the chairman chair without a vote of the committee for purposes of prefilings.

Nothing in this section prohibits one or more legislators from introduction of introducing a bill or a joint resolution."

And that as so amended, **HB 1216** do pass.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1220** and returns the same with the recommendation that said bill be amended as follows:

1220B

On page 1, line 5, of the Introduced bill, delete " a" and insert " an immediate"

On page 1, line 8, of the Introduced bill, delete " a" and insert " an immediate"

On page 1, line 9, of the Introduced bill, after "the " insert "immediate "

On page 1, line 10, of the Introduced bill, after "the" insert " immediate"

1220C

On the previously adopted amendment (1220B), On page 2, line 5, after "voter;

(b) The" delete " rental"

1220E

On the previously adopted amendment (1220C), On page 2, line 16, after "two" insert " business"

And that as so amended, **HB 1220** do pass.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1145** which was tabled.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1211** which was deferred to the 41st Legislative Day.

Respectfully submitted,
Scott Odenbach, Chair

1 MR. SPEAKER:

2 The Committee on House Judiciary respectfully reports that it has had under consideration
3 **HB 1128** which was tabled.

4 Also MR. SPEAKER:

5 The Committee on House Judiciary respectfully reports that it has had under consideration
6 **HB 1148, 1199, and 1214** which were deferred to the 41st Legislative Day.

7 Respectfully submitted,
8 Mike Stevens, Chair

9 MR. SPEAKER:

10 The Committee on House Commerce and Energy respectfully reports that it has had under
11 consideration **HB 1179** which was deferred to the 41st Legislative Day.

12 Also MR. SPEAKER:

13 The Committee on House Commerce and Energy respectfully reports that it has had under
14 consideration **HB 1166** and returns the same with the recommendation that said bill do pass.

15 Also MR. SPEAKER:

16 The Committee on House Commerce and Energy respectfully reports that it has had under
17 consideration **SB 81** and returns the same with the recommendation that said bill do pass, and
18 having been certified as uncontested, be placed on the consent calendar.

19 Respectfully submitted,
20 Karla J. Lems, Chair

21 **MESSAGES FROM THE SENATE**

22 MR. SPEAKER:

23 I have the honor to return herewith **HB 1002, 1003, 1004, 1029, 1030, 1031, and 1032**
24 which have passed the Senate without change.

25 Also MR. SPEAKER:

26 I have the honor to transmit herewith **SB 58, 97, 115, 128, and 135** which have passed the
27 Senate and your favorable consideration is respectfully requested.

28 Respectfully,
29 Peggy Laurenz, Secretary

CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Odenbach moved that the reports of the Standing Committees on Judiciary on **HB 1096** as found on page 222 of the House Journal; also Education on **HB 1105** as found on page 221 of the House Journal; and State Affairs on **HB 1208** as found on page 221 of the House Journal be adopted. Which motion prevailed and the reports were adopted.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

The Speaker declared that **HB 1153**, and **HB 1240** were withdrawn at the request of the prime sponsors pursuant to JR 6B-1.1.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 58: FOR AN ACT ENTITLED, An Act to revise provisions related to human trafficking, to prohibit the obstruction of human trafficking enforcement, and to provide a penalty therefor.

SB 115: FOR AN ACT ENTITLED, An Act to revise a provision related to sexual contact with a child under eighteen.

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

SB 97: FOR AN ACT ENTITLED, An Act to allow the governing body of a municipality to change the use of municipally owned parkland by ordinance.

SB 128: FOR AN ACT ENTITLED, An Act to amend requirements for an official newspaper.

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

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

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

The following bills were read on February 5, 2025, and today the Speaker assigned these bills to committee:

SB 88 was referred to the Committee on Judiciary.

SB 72, and **SB 84** were referred to the Committee on Local Government.

SB 89 was referred to the Committee on State Affairs.

SB 90 was referred to the Committee on Taxation.

The following bill was read on February 6, 2025, and today the Speaker assigned this bill to committee:

SB 61 was referred to the Committee on State Affairs.

The following bills were read on February 7, 2025, and today the Speaker assigned these bills to committee:

SB 8, and **SB 83** were referred to the Committee on Judiciary.

SB 109 was referred to the Committee on Military and Veterans Affairs.

SB 60, and **SB 106** were referred to the Committee on State Affairs.

SB 107 was referred to the Committee on Transportation.

SECOND READING AND CONSIDERATION OF CONSENT CALENDAR ITEMS

SB 29: FOR AN ACT ENTITLED, An Act to amend provisions regarding the Division of Insurance and the former Division of Securities operating fund.

Was read the second time.

The question being "Shall **SB 29** pass?"

And the roll being called:

Yeas 64, Nays 4, Excused 1, Absent 0

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

Nays: Garcia, Mulally, Randolph, and Reder

Excused: Nolz

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

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1069: FOR AN ACT ENTITLED, An Act to regulate vapor products, and to provide a penalty therefor.

Having had its second reading was up for consideration and final passage.

The question now being on Rep. Heinemann's pending motion to amend **HB 1069** as found on page 228 of the House Journal.

1 Which motion prevailed.

2 The question being "Shall **HB 1069** pass as amended?"

3 And the roll being called:

4 Yeas 57, Nays 11, Excused 1, Absent 0

5 Yeas: Andera, Arlint, Auch, Bahmuller, Baxter, DeGroot, Derby, Duffy, Emery, Fitzgerald,
6 Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt,
7 Jamison, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Massie, May, Moore,
8 Mortenson, Muckey, Mulder, Novstrup, Odenbach, Peterson (Drew), Pourier, Reder, Reimer, Reisch,
9 Rice, Roby, Roe, Schaeftbauer, Schwans, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Vasgaard,
10 Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

11 Nays: Aylward, Bathke, Ismay, Jensen (Phil), Jordan, Manhart, Mulally, Overweg, Randolph,
12 Rehfeldt, and Shorma

13 Excused: Nolz

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

16 **HB 1117:** FOR AN ACT ENTITLED, An Act to modify requirements on the use of mobile
17 electronic devices while driving.

18 Was read the second time.

19 The question being "Shall **HB 1117** pass as amended?"

20 And the roll being called:

21 Yeas 29, Nays 39, Excused 1, Absent 0

22 Yeas: Arlint, DeGroot, Derby, Duffy, Emery, Fitzgerald, Halverson, Healy, Heermann,
23 Jorgenson, Kassin, Kull, Ladner, Muckey, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe,
24 Shorma, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

25 Nays: Andera, Auch, Aylward, Bahmuller, Bathke, Baxter, Garcia, Goodwin, Gosch, Greenfield,
26 Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Kayser, Kolbeck (Jack), Lems,
27 Manhart, Massie, May, Moore, Mortenson, Mulally, Mulder, Novstrup, Odenbach, Overweg, Pourier,
28 Randolph, Reder, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

29 Excused: Nolz

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

32 **HB 1154:** FOR AN ACT ENTITLED, An Act to reduce the approval requirement for the
33 construction or expansion of a municipal campground or tourist accommodation facility.

34 Was read the second time.

35 Rep. Bathke moved that **HB 1154** be amended as follows:

36

1154E

1 On page 1, line 1, of the House Local Government Engrossed bill, delete "reduce" and insert
2 "change"

3 On page 1, line 2, of the House Local Government Engrossed bill, delete " campground" and
4 insert " camping"

5 On page 1, line 11, of the House Local Government Engrossed bill, delete " If there is an
6 existing private campground within fifteen miles of the municipality if, the municipality may
7 construct or expand camping or tourist accommodation facilities if:

8 (1) The owner of the existing campground approves the construction or expansion in writing.
9 If the private campground has more than one owner, the owners of the private campground may
10 only approve or refuse approval for the construction or expansion of the municipal campground or
11 tourist accommodation facility as a group;

12 (2) For each cabin added to the municipal camping or tourist accommodation facility, the
13 municipality reduces the number of its existing campsites by one; and

14 (3) For each campsite added to the municipal camping or tourist accommodation facility, the
15 municipality reduces the number of its existing tent sites by one.

16 If there is more than one private campground within fifteen miles of the municipality, the
17 municipality must obtain written approval from the owners of at least seventy-five percent of all
18 private campgrounds before constructing or expanding a camping or tourist accommodation facility."
19 and insert "

20 If there is an existing private campground within fifteen miles of the municipality, the
21 municipality must obtain written approval from the owner of the private campground to construct
22 or expand a municipal camping or tourist accommodation facility.

23 A municipality does not need approval from any private campground owner to add to an
24 existing municipal camping or tourist accommodation facility, provided:

25 (1) The municipality reduces the number of its existing campsites by one for each cabin added;

26 (2) The municipality reduces the number of its existing tent sites by one for each campsite
27 added; and

28 (3) The municipality does not expand the total size of the existing municipal camping or tourist
29 accommodation facility."

30 Which motion prevailed.

31 Rep. Novstrup moved that **HB 1154** be amended as follows:

32 1154F

33 On the previously adopted amendment (1154E), On page 1, line 2, after "camping" delete " or
34 tourist accommodation"

35 On the previously adopted amendment (1154E), On page 1, line 8, after "camping" delete " or
36 tourist accommodation"

37 On the previously adopted amendment (1154E), On page 2, line 3, after "camping" delete " or
38 tourist accommodation"

39 On the previously adopted amendment (1154E), On page 2, line 5, after "camping" delete " or
40 tourist accommodation"

On the previously adopted amendment (1154E), On page 2, line 10, after "camping" delete " or tourist accommodation"

On the previously adopted amendment (1154E), On page 2, line 15, after "owners.

Camping" delete " and tourist accommodation"

On the previously adopted amendment (1154E), On page 2, line 19, after "camping" delete " and tourist accommodation"

Which motion lost.

The question being "Shall **HB 1154** pass as amended?"

And the roll being called:

Yeas 36, Nays 32, Excused 1, Absent 0

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

Nays: Andera, Auch, Aylward, Baxter, Derby, Garcia, Gosch, Greenfield, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Moore, Mulally, Novstrup, Odenbach, Overweg, Pourier, Randolph, Reder, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

Excused: Nolz

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

HB 1130: FOR AN ACT ENTITLED, An Act to provide permissible dates for municipal and school district elections.

Was read the second time.

The question being "Shall **HB 1130** pass?"

And the roll being called:

Yeas 52, Nays 16, Excused 1, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, Derby, Duffy, Fitzgerald, Garcia, Goodwin, Gosch, Halverson, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kayser, Kolbeck (Jack), Ladner, Lems, Manhart, Massie, May, Moore, Mortenson, Mulally, Mulder, Novstrup, Odenbach, Overweg, Pourier, Randolph, Reder, Rehfeldt, Reisch, Rice, Roby, Schaeftbauer, Schwans, Sjaarda, Soye, Van Diepen, Walburg, Weems, Weisgram, and Speaker Hansen

Nays: Bathke, DeGroot, Emery, Greenfield, Healy, Kassin, Kull, Muckey, Peterson (Drew), Reimer, Roe, Shorma, Stevens, Uhre-Balk, Vasgaard, and Wittman

Excused: Nolz

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

1 Speaker Pro Tempore Lems now presiding.

2 **HB 1184:** FOR AN ACT ENTITLED, An Act to amend the deadline for filing a petition to initiate
3 a measure or constitutional amendment.

4 Was read the second time.

5 The question being "Shall **HB 1184** pass?"

6 And the roll being called:

7 Yeas 59, Nays 9, Excused 1, Absent 0

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

14 Nays: DeGroot, Emery, Healy, Muckey, Pourier, Rehfeldt, Roby, Uhre-Balk, and Wittman

15 Excused: Nolz

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

18 Speaker Hansen now presiding.

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

20 **SB 51:** FOR AN ACT ENTITLED, An Act to require the display and curricular inclusion of the
21 Ten Commandments and other documents.

22 Was read the second time.

23 Rep. Mulally rose to a point of order that Rep. Kull speak to **SB 51** only.

24 Speaker Hansen allowed Rep. Kull to continue.

25 Rep. May moved that **SB 51** be amended as follows:

26 51M

27 On page 1, line 5, of the Senate Engrossed bill, after "in" delete " each"

28 On page 1, line 6, of the Senate Engrossed bill, after "each " delete "classroom in each school
29 located"

30 On page 1, line 6, of the Senate Engrossed bill, after "located " insert "a prominent location "

31 On page 1, line 6, of the Senate Engrossed bill, after "within" insert " each public school in"

1 Rep. Mulally requested a roll call vote.

2 Which request was supported.

3 The question being on Rep. May's motion that **SB 51** be amended.

4 And the roll being called:

5 Yeas 42, Nays 26, Excused 1, Absent 0

6 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, Emery, Fitzgerald, Garcia, Goodwin,
7 Gosch, Halverson, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Kayser,
8 Ladner, Lems, Manhart, Massie, May, Mortenson, Mulally, Mulder, Novstrup, Odenbach, Overweg,
9 Peterson (Drew), Pourier, Randolph, Reder, Rice, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye,
10 and Speaker Hansen

11 Nays: Bathke, DeGroot, Derby, Duffy, Greenfield, Healy, Heermann, Jorgenson, Kassin,
12 Kolbeck (Jack), Kull, Moore, Muckey, Rehfeldt, Reimer, Reisch, Roby, Roe, Stevens, Uhre-Balk, Van
13 Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

14 Excused: Nolz

15 So the motion having received an affirmative vote of a majority of the members present, the
16 Speaker declared the motion prevailed.

17 The question being "Shall **SB 51** pass as amended?"

18 And the roll being called:

19 Yeas 31, Nays 37, Excused 1, Absent 0

20 Yeas: Andera, Auch, Aylward, Baxter, Fitzgerald, Garcia, Goodwin, Halverson, Heinemann,
21 Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Kayser, Ladner, Lems, Manhart, May, Mulally,
22 Novstrup, Odenbach, Randolph, Reder, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, and
23 Speaker Hansen

24 Nays: Arlint, Bahmuller, Bathke, DeGroot, Derby, Duffy, Emery, Gosch, Greenfield, Healy,
25 Heermann, Jorgenson, Kassin, Kolbeck (Jack), Kull, Massie, Moore, Mortenson, Muckey, Mulder,
26 Overweg, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-
27 Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

28 Excused: Nolz

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

31 **SIGNING OF BILLS**

32 The Speaker publicly read the title to

33 **HB 1002:** FOR AN ACT ENTITLED, An Act to require that all certified educators take a course
34 in South Dakota Indian Studies.

35 **HB 1003:** FOR AN ACT ENTITLED, An Act to amend definitions pertaining to the school funding
36 formula.

37 **HB 1004:** FOR AN ACT ENTITLED, An Act to provide tuition for a student who is placed in a
38 residential treatment center that provides educational programming.

1 **HB 1029:** FOR AN ACT ENTITLED, An Act to update provisions of the South Dakota Retirement
2 System.

3 **HB 1030:** FOR AN ACT ENTITLED, An Act to update the South Dakota Retirement System's
4 member information protection provisions.

5 **HB 1031:** FOR AN ACT ENTITLED, An Act to update the South Dakota Retirement System
6 member identity verification procedures.

7 **HB 1032:** FOR AN ACT ENTITLED, An Act to update a reference to the Internal Revenue Code
8 in South Dakota Retirement System statutes.

9 **SB 35:** FOR AN ACT ENTITLED, An Act to modify substances listed on the controlled substances
10 schedule and to declare an emergency.

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

12 Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at
13 4:16 p.m. the House adjourned.

14
Patricia Miller, Chief Clerk