

JOURNAL OF THE HOUSE

ONE HUNDREDTH SESSION

TWENTY-SEVENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, February 25, 2025

The House convened at 1:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Rev. Mercy Hobbs, followed by the Pledge of Allegiance led by House page Jessica Hadrick.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Secretary of the House has had under consideration the House Journal of the 26th 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

COMMUNICATIONS AND PETITIONS

2

February 25, 2025

3

Mr. Speaker and Members of the House of Representatives:

4

I have the honor to inform you that on February 25, 2025, I approved House Bills 1047, 1056, 1072, 1074, 1075, and 1125, and the same have been deposited in the office of the Secretary of State.

5

6

Respectfully submitted,

7

Larry Rhoden

8

Governor

9

REPORTS OF STANDING COMMITTEES

10

MR. SPEAKER:

11

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **HB 1044, 1057, 1063, and 1173** and finds the same correctly enrolled.

12

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14

Respectfully submitted,

15

Jon Hansen, Chair

16

MR. SPEAKER:

17

The Committee on Legislative Procedure respectfully reports that **HB 1042, 1095, and 1160** were delivered to his Excellency, the Governor, for his approval at 10:43 a.m., February 25, 2025.

18

19

Respectfully submitted,

20

Jon Hansen, Chair

21

MR. SPEAKER:

22

The Committee on House Agriculture and Natural Resources respectfully reports that it has had under consideration **SB 34 and 170** and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

23

24

25

Also MR. SPEAKER:

26

The Committee on House Agriculture and Natural Resources respectfully reports that it has had under consideration **SB 79** and returns the same with the recommendation that said bill do pass.

27

28

Respectfully submitted,

29

Marty Overweg, Chair

30

MR. SPEAKER:

31

The Committee on House Local Government respectfully reports that it has had under consideration **SB 129 and 167** and returns the same with the recommendation that said bills do pass.

32

33

Respectfully submitted,

34

Greg Jamison, Chair

1 MR. SPEAKER:

2 The Committee on House Transportation respectfully reports that it has had under
3 consideration **SB 46** and returns the same with the recommendation that said bill do pass.

4 Also MR. SPEAKER:

5 The Committee on House Transportation respectfully reports that it has had under
6 consideration **SB 107** which was deferred to the 41st Legislative Day.

7 Also MR. SPEAKER:

8 The Committee on House Transportation respectfully reports that it has had under
9 consideration **SB 116** and returns the same with the recommendation that said bill be amended as
10 follows:

11 116C

12 On page 4, line 16, of the Senate Judiciary Engrossed bill, after "to" insert " reasonably"

13 And that as so amended, **SB 116** do pass.

14 Respectfully submitted,
15 Tony Randolph, Chair

16 **MESSAGES FROM THE SENATE**

17 MR. SPEAKER:

18 I have the honor to return herewith **HB 1044, 1057, 1063, and 1173** which have passed the
19 Senate without change.

20 Also MR. SPEAKER:

21 I have the honor to return herewith **HB 1068** which has been amended by the Senate and
22 your concurrence in the amendments is respectfully requested.

23 Also MR. SPEAKER:

24 I have the honor to transmit herewith **SB 3, 44, 52, 70, 99, 136, 137, 138, 144, 145, 146,**
25 **157, 163, 178, 198, and 201** which have passed the Senate and your favorable consideration is
26 respectfully requested.

27 Respectfully,
28 Peggy Laurenz, Secretary

29 **MOTIONS AND RESOLUTIONS**

30 Rep. Ismay moved that the Committee on Judiciary be instructed to deliver **HB 1267** to the
31 floor of the House, pursuant to JR 7-7.

32 Which motion was supported and the committee was so instructed.

1

CONSIDERATION OF REPORTS OF COMMITTEES

2

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

3

State Affairs on **HB 1242** as found on page 368 of the House Journal; also

4

House Appropriations on **HB 1005 and 1037** as found on page 369 of the House Journal, and

5

HB 1039 as found on page 370 of the House Journal, be adopted.

6

Which motion prevailed and the reports were adopted.

7

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

8

SB 144: FOR AN ACT ENTITLED, An Act to require legislative approval for significant capital expenditures by the Department of Game, Fish and Parks.

9

10

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

11

SB 157: FOR AN ACT ENTITLED, An Act to require proof of workers' compensation insurance for contractors of public improvements.

12

13

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

14

SB 3: FOR AN ACT ENTITLED, An Act to increase driver license fees.

15

SB 146: FOR AN ACT ENTITLED, An Act to revise provisions on interim transfers and appropriations.

16

17

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

18

SB 70: FOR AN ACT ENTITLED, An Act to modify the maximum sparsity benefit a sparse school district is eligible to receive.

19

20

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

21

SB 163: FOR AN ACT ENTITLED, An Act to require certain firefighting equipment purchased by a fire department contain particular labeling.

22

23

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

24

SB 145: FOR AN ACT ENTITLED, An Act to require legislative approval of real property leases that are necessary for the operation of state government and exceed specified durations or rental payments.

25

26

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SB 198: FOR AN ACT ENTITLED, An Act to establish conditions a prospective condemnor must satisfy before commencing condemnation proceedings.

28

29

SB 201: FOR AN ACT ENTITLED, An Act to prohibit contributions and loans from an authorized committee of a candidate for federal office.

30

31

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

1 **SB 178:** FOR AN ACT ENTITLED, An Act to increase a tax on aviation gasoline and jet fuel.

2 Was read the first time and referred to the Committee on Taxation.

3 **SB 136:** FOR AN ACT ENTITLED, An Act to make an appropriation to enhance the economic
4 health of South Dakota.

5 **SB 137:** FOR AN ACT ENTITLED, An Act to make an appropriation for the economic
6 development of South Dakota.

7 **SB 138:** FOR AN ACT ENTITLED, An Act to make an appropriation for developing the economic
8 viability of South Dakota.

9 Were read the first time.

10 **SB 44:** FOR AN ACT ENTITLED, An Act to modify tax refunds for elderly persons and persons
11 with a disability, to make an appropriation therefor, and to declare an emergency.

12 **SB 52:** FOR AN ACT ENTITLED, An Act to authorize the expansion of the South Dakota State
13 Veterans Cemetery, to make an appropriation therefor, and to declare an emergency.

14 **SB 99:** FOR AN ACT ENTITLED, An Act to make an appropriation for purchasing, storing, and
15 distributing sexual assault kits.

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

17 The following bills were read on February 24, 2025, and today the Speaker assigned these bills
18 to committee:

19 **SB 202** was referred to the Committee on Agriculture and Natural Resources.

20 **SB 154** was referred to the Committee on Health and Human Services.

21 **SB 172** was referred to the Committee on Judiciary.

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

23 **HCR 6011:** A CONCURRENT RESOLUTION, Urging the Trump-Vance administration and Office
24 of Management and Budget to uphold the Reagan administration policy of government-to-
25 government relations with tribal nations.

26 **HCR 6013:** A CONCURRENT RESOLUTION, Supporting the Electoral College, denouncing the
27 National Popular Vote Interstate Compact, and inviting interested states to form the Electoral College
28 Interstate Compact.

29 **SB 111:** FOR AN ACT ENTITLED, An Act to permit a court to order family therapy or
30 reunification therapy in a custody or visitation dispute.

31 Were read the second time.

32 The question being "Shall **SB 111** pass, and **HCR 6011** and **6013** be adopted?"

33 And the roll being called:

1 Yeas 70, Nays 0, Excused 0, Absent 0

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

9 So the bills having received an affirmative vote of a majority of the members-elect, the Speaker
10 declared the bill passed, the resolutions adopted, and the titles were agreed to.

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

12 **HB 1083:** FOR AN ACT ENTITLED, An Act to modify the requirements for obtaining an
13 agricultural processor's lien.

14 Was read the second time.

15 The question being "Shall **HB 1083** pass as amended?"

16 And the roll being called:

17 Yeas 70, Nays 0, Excused 0, Absent 0

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

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

27 **HB 1016:** FOR AN ACT ENTITLED, An Act to revise provisions related to pharmacy.

28 Was read the second time.

29 The question being "Shall **HB 1016** pass as amended?"

30 And the roll being called:

31 Yeas 69, Nays 1, Excused 0, Absent 0

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

39 Nays: Soye

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

3 **HB 1085:** FOR AN ACT ENTITLED, An Act to establish a moratorium on the construction of
4 carbon dioxide pipelines in this state and to declare an emergency.

5 Was read the second time.

6 Rep. Vasgaard moved that **HB 1085** be amended as follows:

7 1085C

8 On page 1, line 2, of the House Commerce and Energy Engrossed bill, after "state" delete "
9 and to declare an emergency"

10 On page 1, line 15, of the House Commerce and Energy Engrossed bill, after "safety." delete
11 "Section 2. Whereas, this Act is necessary for the immediate preservation of the public peace, health,
12 or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect
13 from and after its passage and approval."

14 On page 1, after line 16, of the House Commerce and Energy Engrossed bill, insert: "

15 **Section 2.** Section 1 of this Act is repealed upon certification by the attorney general to the
16 South Dakota Code Commission that the proposed rules described in subdivision (1) of section 1 of
17 this Act have been finalized and adopted by the Pipeline and Hazardous Materials Safety
18 Administration."

19 Which motion prevailed.

20 The question being "Shall **HB 1085** pass as amended?"

21 And the roll being called:

22 Yeas 40, Nays 30, Excused 0, Absent 0

23 Yeas: Andera, Auch, Aylward, Baxter, Emery, Fitzgerald, Garcia, Gosch, Greenfield, Halverson,
24 Heinemann, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Ladner, Lems,
25 Manhart, Massie, May, Moore, Mulally, Nolz, Novstrup, Odenbach, Overweg, Pourier, Randolph,
26 Reder, Rice, Schaefbauer, Schwans, Sjaarda, Soye, Vasgaard, Walburg, and Speaker Hansen

27 Nays: Arlint, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Goodwin, Healy,
28 Heermann, Jamison, Kasson, Kolbeck (Jack), Kull, Mortenson, Muckey, Mulder, Peterson (Drew),
29 Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Weems, Weisgram,
30 and Wittman

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

33 **HB 1114:** FOR AN ACT ENTITLED, An Act to make an appropriation for the purchasing of
34 equipment to support the South Dakota Board of Technical Education.

35 Was read the second time.

36 The question being "Shall **HB 1114** pass as amended?"

37 And the roll being called:

1 Yeas 44, Nays 26, Excused 0, Absent 0

2 Yeas: Arlint, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Garcia,
3 Goodwin, Halverson, Healy, Heermann, Heinemann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner,
4 Massie, Moore, Mortenson, Muckey, Mulder, Nolz, Novstrup, Odenbach, Peterson (Drew), Pourier,
5 Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg,
6 Weems, Weisgram, and Wittman

7 Nays: Andera, Auch, Aylward, Baxter, Gosch, Greenfield, Hughes, Hunt, Ismay, Jensen (Phil),
8 Jordan, Jorgenson, Kayser, Lems, Manhart, May, Mulally, Overweg, Randolph, Reder, Rice,
9 Schaeftbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

10 So the bill not having received an affirmative vote of a two-thirds majority of the members-
11 elect, the Speaker declared the bill lost.

12 Rep. Derby announced his intention to reconsider the vote by which **HB 1114** lost.

13 **HB 1115:** FOR AN ACT ENTITLED, An Act to establish the crime of aggravated criminal entry
14 of a motor vehicle with the intent to steal a firearm or firearm silencer, to make offenders ineligible
15 for presumptive probation, and to provide a penalty therefor.

16 Was read the second time.

17 The question being "Shall **HB 1115** pass as amended?"

18 And the roll being called:

19 Yeas 56, Nays 14, Excused 0, Absent 0

20 Yeas: Andera, Arlint, Auch, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy,
21 Emery, Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Heermann, Heinemann, Hughes,
22 Hunt, Ismay, Jamison, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Massie, May,
23 Moore, Mulally, Mulder, Nolz, Novstrup, Peterson (Drew), Pourier, Randolph, Reder, Rehfeldt,
24 Reimer, Reisch, Rice, Roby, Roe, Schaeftbauer, Schwans, Shorma, Sjaarda, Van Diepen, Vasgaard,
25 Walburg, Weems, and Speaker Hansen

26 Nays: Aylward, Healy, Jensen (Phil), Jordan, Manhart, Mortenson, Muckey, Odenbach,
27 Overweg, Soye, Stevens, Uhre-Balk, Weisgram, and Wittman

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

30 **HB 1131:** FOR AN ACT ENTITLED, An Act to make an appropriation for the restoration,
31 maintenance, and repair of the state capitol.

32 Was read the second time.

33 The question being "Shall **HB 1131** pass as amended?"

34 And the roll being called:

35 Yeas 62, Nays 8, Excused 0, Absent 0

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

8 Nays: Aylward, Baxter, Hunt, Jensen (Phil), Jordan, Mulally, Randolph, and Reder

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

11 **HB 1235:** FOR AN ACT ENTITLED, An Act to reduce a limit on the annual increases of property
12 tax revenues payable to certain taxing districts, and to subject school districts to a limit on property
13 taxes collected in a year.

14 Was read the second time.

15 The question being "Shall **HB 1235** pass as amended?"

16 And the roll being called:

17 Yeas 39, Nays 31, Excused 0, Absent 0

18 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Czmowski, Derby, Fitzgerald, Garcia,
19 Goodwin, Gosch, Greenfield, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan,
20 Jorgenson, Kayser, Kolbeck (Jack), Lems, Manhart, May, Mulally, Mulder, Nolz, Odenbach, Overweg,
21 Pourier, Randolph, Reder, Rice, Schaeffbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

22 Nays: Arlint, Bathke, DeGroot, Duffy, Emery, Halverson, Healy, Heermann, Kassin, Kull,
23 Ladner, Massie, Moore, Mortenson, Muckey, Novstrup, Peterson (Drew), Rehfeldt, Reimer, Reisch,
24 Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and
25 Wittman

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

28 **HB 1249:** FOR AN ACT ENTITLED, An Act to protect landowners from the use of deception,
29 fraud, harassment, intimidation, misrepresentation, or threat, in acquiring easements or easement
30 options.

31 Was read the second time.

32 The question being "Shall **HB 1249** pass as amended?"

33 And the roll being called:

34 Yeas 36, Nays 34, Excused 0, Absent 0

35 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Emery, Garcia, Gosch, Greenfield,
36 Heinemann, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Kayser, Lems, Manhart, Massie, May,
37 Moore, Mulally, Nolz, Novstrup, Odenbach, Overweg, Pourier, Randolph, Reder, Rice, Schaeffbauer,
38 Schwans, Sjaarda, Soye, Vasgaard, and Speaker Hansen

1 Nays: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Fitzgerald, Goodwin, Halverson, Healy,
2 Heermann, Jamison, Jorgenson, Kassin, Kolbeck (Jack), Kull, Ladner, Mortenson, Muckey, Mulder,
3 Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen,
4 Walburg, Weems, Weisgram, and Wittman

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

7 **HB 1242:** FOR AN ACT ENTITLED, An Act to limit the amount of money that may be transferred
8 to a candidate campaign committee, a political action committee, or a political party by the
9 authorized committee of a candidate for federal office.

10 Was read the second time.

11 Rep. Gosch moved that **HB 1242** be amended as follows:

12 1242B

13 On page 1, line 1, of the House State Affairs Engrossed bill, after "that" delete " may be
14 transferred to"

15 On page 1, line 2, of the House State Affairs Engrossed bill, delete " by the" and insert " may
16 accept from an"

17 On page 1, line 6, of the House State Affairs Engrossed bill, after "12-27:

18 A" delete " candidate with an authorized committee, as defined in 52 U. S. C. § 30101, et seq.
19 (January 1, 2025), may not transfer more than ten thousand dollars per year, to any"

20 On page 1, line 9, of the House State Affairs Engrossed bill, after "chapter" insert " may not
21 accept any contribution or loan from an authorized committee of a candidate for federal office, as
22 defined in § 52 U. S. C. § 30101, et seq. (January 1, 2025), if the amount of the contribution, loan,
23 or combination of the contribution and loan, exceeds ten thousand dollars in a given year"

24 Which motion prevailed.

25 The question being "Shall **HB 1242** pass as amended?"

26 And the roll being called:

27 Yeas 36, Nays 34, Excused 0, Absent 0

28 Yeas: Andera, Auch, Bahmuller, Baxter, Emery, Garcia, Gosch, Greenfield, Heinemann,
29 Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jorgenson, Kayser, Lems, Manhart, May, Moore,
30 Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Pourier, Randolph, Reder, Rice, Schaeftbauer,
31 Schwans, Sjaarda, Soye, Uhre-Balk, and Speaker Hansen

32 Nays: Arlint, Aylward, Bathke, Czmowski, DeGroot, Derby, Duffy, Fitzgerald, Goodwin,
33 Halverson, Healy, Heermann, Jordan, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Mortenson,
34 Muckey, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Van Diepen,
35 Vasgaard, Walburg, Weems, Weisgram, and Wittman

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

38 **HB 1005:** FOR AN ACT ENTITLED, An Act to remove the requirement for payment of a private
39 home study by the Department of Social Services.

40 Was read the second time.

1 Rep. Novstrup moved that **HB 1005** be amended as follows:

2 1005D

3 On the Introduced bill, delete the previously adopted amendment(s), thus restoring the bill to
4 the House Appropriations Engrossed version.

5 On page 1, line 1, delete "remove " and insert "modify "

6 On page 1, line 18, delete " \$1,000" and insert " one thousand five hundred dollars"

7 On page 1, line 20, delete " appropriations act" and insert " appropriation bill"

8 On page 1, line 20, after "4-7." delete " The Department department shall make rules pursuant
9 to chapter 1-26 to establish a cap on the cost to be reimbursed."

10 Which motion prevailed.

11 The question being "Shall **HB 1005** pass as amended?"

12 And the roll being called:

13 Yeas 70, Nays 0, Excused 0, Absent 0

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

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

23 **HB 1037:** FOR AN ACT ENTITLED, An Act to amend the tax collection allowance credit for filing
24 returns and remitting taxes electronically.

25 Was read the second time.

26 Rep. Kassin moved that **HB 1037** be amended as follows:

27 1037E

28 On page 1, line 1, of the House Appropriations Engrossed bill, delete "amend" and insert "
29 suspend"

30 On page 1, line 4, of the House Appropriations Engrossed bill, after "Dakota:" delete "Section
31 1. That § 10-45-27. 2 be REPEALED.

32 "

33 On page 1, line 5, of the House Appropriations Engrossed bill, after "REPEALED." delete "Any
34 person required to file a return and remit the tax imposed by chapter 10-45, who holds a license
35 issued pursuant to chapter 10-45, who timely files the return due, and who timely remits the tax
36 due, is allowed, as compensation for the expense of collecting and paying the tax, a credit equal to
37 one and one-half percent of the gross amount of the tax due. However, the credit may not exceed
38 seventy dollars per return period.

If a person is required to file a return and to remit tax more than once within a thirty day period, the collection allowance credit may not exceed seventy dollars for all returns filed and all remittances made within the thirty day period.

The collection allowance credit authorized by this section only applies to taxes reported on the sales and use tax return, including the taxes imposed by chapters 10-45, 10-45D, 10-46, 10-46E, 10-52, 10-52A, 10-58, and 10-33A, and §§ 32-5B-20 and 10-62-2.

The collection allowance credit authorized by this section shall be granted for any return to be filed and for any tax to be remitted after January 1, 2014.

The collection allowance credit authorized by this section shall only be granted to a person who timely files the return due by electronic means and who timely remits the tax due by electronic means.

For any tax collected by the department on behalf of another entity, upon which the collection allowance credit is calculated, the entities shall negotiate in good faith to share in the payment of the collection allowance credit. The department may implement such allocation of collection allowance credit directly or through the adjustment of any administrative fee charged pursuant to § 10-59-52.

No person that has selected a certified service provider as its agent as set forth in § 10-45C-1 is entitled to the collection allowance credit authorized by this section if the certified service provider receives a monetary allowance as provided by the Streamlined Sales and Use Tax Agreement authorized by chapter 10-45C for performing the retailer's sales and use tax functions in this state.

No collection allowance credit authorized by this section may be granted to any person who has outstanding tax returns due to the department or who has outstanding tax remittances due to the department."

On page 2, line 11, of the House Appropriations Engrossed bill, after "department." delete "Section 2. Section 1 of this Act expires on July 1, 2028."

On page 2, after line 11, of the House Appropriations Engrossed bill, insert: "

Section 1. Effective July 1, 2025, until June 30, 2028, § 10-45-27.2 is suspended and nonenforceable."

Which motion prevailed.

The question being "Shall **HB 1037** pass as amended?"

And the roll being called:

Yeas 63, Nays 7, Excused 0, Absent 0

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

Nays: Arlint, Aylward, Heermann, Kolbeck (Jack), Mulder, Pourier, and Rehfeldt

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 1039: FOR AN ACT ENTITLED, An Act to amend the programs reimbursing a teacher or school counselor for earning national board certification.

Was read the second time.

The question being "Shall **HB 1039** pass as amended?"

And the roll being called:

Yeas 66, Nays 4, Excused 0, Absent 0

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

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

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 1186: FOR AN ACT ENTITLED, An Act to provide for the revision and eventual repeal of the employer's investment in South Dakota's future fee.

Was read the second time.

Rep. Reimer rose to a point of order that Rep. Soye should not ask questions she knew the answer to.

Speaker Hansen overruled Rep. Reimer and allowed Rep. Soye to continue with comments.

Rep. Jamison moved that **HB 1186** be amended as follows:

1186C

On page 2, line 19, of the Introduced bill, delete " Section 61-5-29 is repealed on July 1, 2026" and insert " Any money spent from South Dakota's future fund must be approved by an affirmative vote of a majority of the board of the Governor's Office of Economic Development"

Rep. Hunt rose to a point of order that Rep. Shorma keep comments to the amendment.

The question being on Rep. Jamison's motion that **HB 1186** be amended.

Which motion lost.

The question being "Shall **HB 1186** pass?"

And the roll being called:

Yeas 32, Nays 38, Excused 0, Absent 0

1 Yeas: Andera, Auch, Aylward, Baxter, Garcia, Gosch, Greenfield, Heinemann, Hughes, Hunt,
2 Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Moore, Mulally, Nolz,
3 Odenbach, Overweg, Pourier, Randolph, Reder, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, and
4 Speaker Hansen

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

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

11 Rep. May announced her intention to reconsider the vote by which **HB 1186** lost.

12 Rep. Odenbach moved that **HB 1135, 1149, and 1150** be placed at the bottom of today's
13 calendar.

14 Which motion prevailed.

15 **HB 1204:** FOR AN ACT ENTITLED, An Act to revise the subpoena powers of the Government
16 Operations and Audit Committee.

17 Was read the second time.

18 The question being "Shall **HB 1204** pass?"

19 And the roll being called:

20 Yeas 36, Nays 34, Excused 0, Absent 0

21 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Emery, Garcia, Gosch, Greenfield,
22 Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems,
23 Manhart, May, Moore, Mulally, Nolz, Novstrup, Odenbach, Overweg, Pourier, Randolph, Reder, Rice,
24 Schaeftbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

25 Nays: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Fitzgerald, Goodwin, Halverson, Healy,
26 Heermann, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Mortenson, Muckey, Mulder, Peterson
27 (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Vasgaard,
28 Walburg, Weems, Weisgram, and Wittman

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

31 **HB 1013:** FOR AN ACT ENTITLED, An Act to increase weights and measures inspection fees
32 charged by the Department of Public Safety.

33 Was read the second time.

34 The question being "Shall **HB 1013** pass as amended?"

35 And the roll being called:

36 Yeas 31, Nays 39, Excused 0, Absent 0

Yeas: Arlint, Bahmuller, DeGroot, Derby, Duffy, Emery, Fitzgerald, Goodwin, Greenfield, Halverson, Heermann, Heinemann, Hughes, Jamison, Jorgenson, Kassin, Kolbeck (Jack), Ladner, Massie, Moore, Mortenson, Novstrup, Peterson (Drew), Rehfeldt, Reisch, Roby, Shorma, Van Diepen, Vasgaard, Walburg, and Weems

Nays: Andera, Auch, Aylward, Bathke, Baxter, Czmowski, Garcia, Gosch, Healy, Hunt, Ismay, Jensen (Phil), Jordan, Kayser, Kull, Lems, Manhart, May, Muckey, Mulally, Mulder, Nolz, Odenbach, Overweg, Pourier, Randolph, Reder, Reimer, Rice, Roe, Schaeftbauer, Schwans, Sjaarda, Soye, Stevens, Uhre-Balk, Weisgram, Wittman, and Speaker Hansen

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

HB 1038: FOR AN ACT ENTITLED, An Act to repeal provisions regarding the state payment for burial of veterans.

Was read the second time.

The question being "Shall **HB 1038** pass?"

And the roll being called:

Yeas 0, Nays 70, Excused 0, Absent 0

Nays: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Garcia, 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, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Randolph, Reder, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

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

HB 1040: FOR AN ACT ENTITLED, An Act to reduce the state's contribution to a subsidized high school dual credit program.

Was read the second time.

The question being "Shall **HB 1040** pass?"

And the roll being called:

Yeas 56, Nays 14, Excused 0, Absent 0

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

Nays: DeGroot, Emery, Goodwin, Healy, Heermann, Hunt, Jensen (Phil), Jordan, Moore, Muckey, Roby, Soye, Uhre-Balk, and Wittman

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 1228: FOR AN ACT ENTITLED, An Act to require an environmental impact statement from applicants seeking a carbon dioxide transmission facility permit from the Public Utilities Commission of the State of South Dakota.

Was read the second time.

Rep. Hughes moved that **HB 1228** be amended as follows:

1228B

On page 1, line 1, of the Introduced bill, delete "require an" and insert "address the need for"

On page 1, line 1, of the Introduced bill, delete " statement" and insert " statements"

On page 1, line 1, of the Introduced bill, after "from" insert " certain"

On page 1, line 1, of the Introduced bill, after "a" delete " carbon dioxide transmission facility"

On page 1, line 14, of the Introduced bill, remove the overstrikes from " one-quarter"

On page 1, line 14, of the Introduced bill, after "one-quarter" delete " one-half"

On page 2, line 11, of the Introduced bill, after "a;" delete " or"

On page 2, line 14, of the Introduced bill, after "49-41B-25" insert "; or

(3) In cases in which an environmental impact statement is permissive, pursuant to § 49-41B-21, the commission elects not to prepare or require the preparation of an environmental impact statement"

Rep. Soye called for a division of the House.

The question being on Rep. Hughes' motion that **HB 1228** be amended.

Which motion lost.

The question being "Shall **HB 1228** pass?"

And the roll being called:

Yeas 37, Nays 32, Excused 1, Absent 0

Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Emery, Garcia, Greenfield, Heinemann, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Moore, Muckey, Mulally, Nolz, Novstrup, Odenbach, Overweg, Pourier, Randolph, Reder, Rice, Schaeffbauer, Schwans, Sjaarda, Soye, Uhre-Balk, Walburg, and Speaker Hansen

Nays: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Fitzgerald, Goodwin, Halverson, Healy, Heermann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Mortenson, Mulder, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Van Diepen, Vasgaard, Weems, Weisgram, and Wittman

Excused: Gosch

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

1 **HB 1135:** FOR AN ACT ENTITLED, An Act to provide opportunities for South Dakotans.

2 Was read the second time.

3 The question being "Shall **HB 1135** pass?"

4 And the roll being called:

5 Yeas 53, Nays 15, Excused 2, Absent 0

6 Yeas: Andera, Arlint, Auch, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy,
7 Fitzgerald, Garcia, Goodwin, Greenfield, Halverson, Heermann, Heinemann, Hughes, Hunt, Ismay,
8 Jamison, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Massie, May, Moore,
9 Mortenson, Mulder, Nolz, Odenbach, Overweg, Peterson (Drew), Rehfeldt, Reisch, Rice, Roby, Roe,
10 Schaeffbauer, Schwans, Sjaarda, Soye, Stevens, Van Diepen, Vasgaard, Walburg, Weems,
11 Weisgram, and Speaker Hansen

12 Nays: Aylward, Emery, Healy, Jensen (Phil), Jordan, Manhart, Muckey, Novstrup, Pourier,
13 Randolph, Reder, Reimer, Shorma, Uhre-Balk, and Wittman

14 Excused: Gosch and Mulally

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

17 **HB 1149:** FOR AN ACT ENTITLED, An Act to make an appropriation benefitting South
18 Dakotans.

19 Was read the second time.

20 Rep. Odenbach moved that **HB 1149** be laid on the table.

21 The question being on Rep. Odenbach's motion that **HB 1149** be laid on the table.

22 And the roll being called:

23 Yeas 66, Nays 2, Excused 2, Absent 0

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

31 Nays: Bahmuller and Mulder

32 Excused: Gosch and Mulally

33 So the motion having received an affirmative vote of a majority of the members-elect, the
34 Speaker declared the motion carried and **HB 1149** was tabled.

35 **HB 1150:** FOR AN ACT ENTITLED, An Act to address issues facing South Dakota.

36 Was read the second time.

1 Rep. Odenbach moved that **HB 1150** be laid on the table.

2 The question being on Rep. Odenbach's motion that **HB 1150** be laid on the table.

3 And the roll being called:

4 Yeas 64, Nays 4, Excused 2, Absent 0

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

12 Nays: Bahmuller, Mulder, Uhre-Balk, and Wittman

13 Excused: Gosch and Mulally

14 So the motion having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the motion carried and **HB 1150** was tabled.

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

18 **REPORTS OF STANDING COMMITTEES**

19 MR. SPEAKER:

20 The Committee on House Judiciary respectfully reports that it has had under consideration
21 **HB 1267** and returns the same with the recommendation that said bill be amended as follows:

22 1267B

23 On page 3, line 24, of the Introduced bill, after "sponsor," insert " company,"

24 On page 3, line 28, of the Introduced bill, delete "A violation of this section is a Class 5 felony."
25 and insert "Upon a judicial finding of any violation of this section, the petition must be deemed void
26 ab initio. "

27 And that as so amended, **HB 1267** do NOT pass.

28 Respectfully submitted,
29 Mike Stevens, Chair

30 **MOTIONS AND RESOLUTIONS**

31 Rep. Ismay moved that **HB 1267** be placed on today's calendar and be immediately
32 considered pursuant to JR 6F-6.

33 The question being on Rep. Ismay's motion that **HB 1267** be placed on today's calendar and
34 be immediately considered pursuant to JR 6F-6.

1 And the roll being called:

2 Yeas 32, Nays 36, Excused 2, Absent 0

3 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Derby, Garcia, Heinemann, Hughes, Hunt,
4 Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Ladner, Lems, Manhart, May, Moore, Nolz,
5 Novstrup, Odenbach, Overweg, Randolph, Reder, Rice, Schaeffbauer, Schwans, Sjaarda, Soye, and
6 Speaker Hansen

7 Nays: Arlint, Bathke, Czmowski, DeGroot, Duffy, Emery, Fitzgerald, Goodwin, Greenfield,
8 Halverson, Healy, Heermann, Jamison, Kassin, Kolbeck (Jack), Kull, Massie, Mortenson, Muckey,
9 Mulder, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens,
10 Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

11 Excused: Gosch and Mulally

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

14 Today, Rep. Derby announced his intention to reconsider the vote by which **HB 1114** lost.

15 Rep. Derby moved that the House do now reconsider the vote by which **HB 1114** lost.

16 The question being on Rep. Derby's motion to reconsider the vote by which **HB 1114** lost.

17 And the roll being called:

18 Yeas 44, Nays 24, Excused 2, Absent 0

19 Yeas: Arlint, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald,
20 Goodwin, Halverson, Healy, Heermann, Heinemann, Hughes, Jamison, Jorgenson, Kassin, Kolbeck
21 (Jack), Kull, Ladner, Massie, Moore, Mortenson, Muckey, Mulder, Nolz, Novstrup, Odenbach,
22 Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Roby, Roe, Stevens, Uhre-Balk, Van Diepen,
23 Vasgaard, Walburg, Weems, Weisgram, and Wittman

24 Nays: Andera, Auch, Aylward, Baxter, Garcia, Greenfield, Hunt, Ismay, Jensen (Phil), Jordan,
25 Kayser, Lems, Manhart, May, Overweg, Randolph, Reder, Rice, Schaeffbauer, Schwans, Shorma,
26 Sjaarda, Soye, and Speaker Hansen

27 Excused: Gosch and Mulally

28 So the motion having received an affirmative vote of a majority of the members-elect, the
29 Speaker declared the motion carried and **HB 1114** was up for reconsideration and final passage.

30 Today, Rep. May announced her intention to reconsider the vote by which **HB 1186** lost.

31 Rep. May moved that the House do now reconsider the vote by which **HB 1186** lost.

32 The question being on Rep. May's motion to reconsider the vote by which **HB 1186** lost.

33 And the roll being called:

34 Yeas 32, Nays 36, Excused 2, Absent 0

1 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Greenfield, Heinemann, Hughes,
2 Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Moore, Nolz,
3 Odenbach, Overweg, Pourier, Randolph, Reder, Rice, Schaefbauer, Schwans, Sjaarda, Soye,
4 Vasgaard, and Speaker Hansen

5 Nays: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Goodwin,
6 Halverson, Healy, Heermann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Mortenson,
7 Muckey, Mulder, Novstrup, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens,
8 Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, and Wittman

9 Excused: Gosch and Mulally

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

12 **HB 1114:** FOR AN ACT ENTITLED, An Act to make an appropriation for the purchasing of
13 equipment to support the South Dakota Board of Technical Education.

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

15 Rep. Roby moved that **HB 1114** be amended as follows:

1114B

17 On page 1, line 4, of the Joint Appropriations Engrossed bill, delete " \$6,736,000" and insert "
18 \$100"

19 The question being on Rep. Roby's motion that **HB 1114** be amended.

20 The Speaker, being in doubt of the voice vote, called for a division of the House.

21 The Speaker declared Rep. Roby's motion prevailed.

22 The question being "Shall **HB 1114** pass as amended?"

23 And the roll being called:

24 Yeas 47, Nays 22, Excused 1, Absent 0

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

30 Nays: Andera, Auch, Aylward, Baxter, Garcia, Hunt, Ismay, Jensen (Phil), Jordan, Kayser,
31 Lems, Manhart, Mulally, Overweg, Pourier, Randolph, Reder, Rice, Schaefbauer, Schwans, Soye,
32 and Speaker Hansen

33 Excused: Gosch

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

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 93: FOR AN ACT ENTITLED, An Act to prohibit payment or rebate of insurance deductibles by contractors providing motor vehicle repair services.

Was read the second time.

The question being "Shall **SB 93** pass?"

And the roll being called:

Yeas 64, Nays 5, Excused 1, Absent 0

Yeas: Andera, Arlint, Aylward, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Garcia, Goodwin, Greenfield, Halverson, Healy, Heermann, Heinemann, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kasson, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Manhart, Massie, Moore, Muckey, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Randolph, Reder, 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: Auch, Hughes, Hunt, May, and Mortenson

Excused: Gosch

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.

SIGNING OF BILLS

The Speaker publicly read the title to

HB 1044: FOR AN ACT ENTITLED, An Act to authorize the use of a newborn safety device for the voluntary surrender of a newborn and to make clarifying changes.

HB 1057: FOR AN ACT ENTITLED, An Act to transfer moneys from the South Dakota-bred racing fund to the special racing revolving fund.

HB 1063: FOR AN ACT ENTITLED, An Act to revise the provisions for preparing a fiscal note for ballot questions.

HB 1173: FOR AN ACT ENTITLED, An Act to eliminate the cap on assessment amounts for road improvements.

SB 72: FOR AN ACT ENTITLED, An Act to revise the payor of autopsy costs in certain circumstances.

SB 84: FOR AN ACT ENTITLED, An Act to extend the timeframe for filling a vacancy in a board of county commissioners.

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.

And signed the same in the presence of the House.

1

COMMEMORATIONS

2

3

HC 8015: A LEGISLATIVE COMMEMORATION, Honoring the 2025 South Dakota Boys & Girls Clubs of America's Youth of the Year finalists.

4

Introduced by: **Representative** Weisgram

5

6

Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at 6:08 p.m. the House adjourned.

7

Patricia Miller, Chief Clerk