

JOURNAL OF THE HOUSE

ONE HUNDREDTH SESSION

THIRTY-THIRD DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, March 06, 2025

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

The prayer was offered by the Chaplain, Donell Chambers, followed by the Pledge of Allegiance led by House page Alexander Smith.

Roll Call: All members present except Rep. DeGroot 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 32nd 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.

HOUSE PAGE RESOLUTION 4 Introduced by: Representatives Andera; Arlint; Auch; Aylward; Bahmuller; Bathke; Baxter; Czmowski; DeGroot; Derby; Duffy; Emery; Fitzgerald; Garcia; Goodwin; Gosch; Greenfield; Halverson; Hansen; Healy; Heermann; Heinemann; Hughes; Hunt; Ismay; Jamison; Jensen; Jordan; Jorgenson; Kassin; Kayser; Kolbeck; Kull; Ladner; Lems; Manhart; Massie; May; Moore; Mortenson; Muckey; Mulally; Mulder; Nolz; Novstrup; Odenbach; Overweg; Peterson; Pourier; Randolph; Reder; Rehfeldt; Reimer; Reisch; Rice; Roby; Roe; Schaeftbauer; Schwans; Shorma; Sjaarda; Soye; Stevens; Uhre-Balk; Van Diepen; Vasgaard; Walburg; Weems; Weisgram; Wittman

A RESOLUTION, Expressing the appreciation and gratitude of the House of Representatives of the One Hundredth Legislature of the State of South Dakota to Megan Buck, Melody Gilkerson, Jessica Hadrick, Reese Hadrick, Rachael Heinemann, Rebecca Heinemann, Allie Hermsen, Jonathan Koel, Patrick Kralicek, Lucy Moon, Hudson Shaffer, and Alexander Smith.

WHEREAS, the above named served loyally as pages for the House of Representatives of the One Hundredth Legislative Session; and

WHEREAS, the members of the One Hundredth House of Representatives express their most sincere appreciation to these young people for their service to the state; and

WHEREAS, the members extend to these young people their wishes for every success in life:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the One Hundredth Legislature of the State of South Dakota, that a personal copy of this resolution be duly certified and furnished to each page on this last day of service.

Rep. Schaeftbauer moved that House Page Resolution 4 be adopted.

Which motion prevailed and the resolution was adopted.

COMMUNICATIONS AND PETITIONS

The Honorable Jon Hansen
Speaker of the House of Representatives
500 East Capitol Ave.
Pierre, SD 57501

March 6, 2025

Dear Mr. Speaker and Members of the House of Representatives,

I respectfully announce that I have signed House Bill 1052. Because of the high level of public interest in this bill in particular and this issue as a whole, I wish to outline my thought process to the legislature and to the people of South Dakota.

I am no stranger to discussions about eminent domain and property rights. I've fought for private property rights in this Capitol for over 20 years. When I was a legislator, I was the prime sponsor of legislation that reformed eminent domain to protect property rights. I don't just care about landowners – I am a landowner.

I also want to ensure that we keep South Dakota Open for Opportunity. That includes the opportunity for every family, every business owner, and every farmer or rancher to pursue their own American Dream.

But those dreams should not be pursued at the expense of others. Freedom ends when it infringes on the freedom of another. And when those situations arise, "governments are instituted among men" to protect the rights of the people.

Over the past few years, I've become thoroughly familiar with the details of a carbon dioxide pipeline proposed by Summit Carbon Solutions (Summit). I've had hundreds of conversations about this issue. I've met with all sides and heard all the arguments. I made my decision based on my own consideration of the facts, the policy arguments, legislative history, my own opinions and experience, and my judgment about what is best for South Dakota.

South Dakota landowners feel strongly that the threat of involuntary easements for the proposed carbon dioxide pipeline infringes on their freedoms and their property rights. I have said many times that Summit needs to earn back trust from South Dakota landowners. Unfortunately, once trust is lost, it is a difficult thing to regain.

One perspective in this debate is that we should not change the rules in the middle of the game, and I agree. However, as of this letter, the proposed carbon dioxide pipeline is still just that – a proposed project. Summit has not yet received their permit from the Public Utilities Commission.

HB 1052 does not kill the proposed project. Rather than viewing this legislation as an obstacle to the proposed project, I encourage Summit and others to view it as an opportunity for a needed reset. Voluntary easements for this proposed project will still be able to move forward and are not impacted by HB 1052. In fact, without the threat of eminent domain, the opportunity might finally be available for trust to be rebuilt and for more productive conversations to occur between Summit and South Dakota landowners.

We are keeping South Dakota Open for Opportunity, and HB 1052 will not change that. The ethanol industry will remain a crucial part of our state's economy and a key asset as we implement an all-of-the-above energy approach to restore American energy dominance. I am honored to serve as governor of all South Dakotans, and I will continue to support the private property rights of our people, and opportunity for value-added agriculture and our state as a whole.

Sincerely,
Larry Rhoden
Governor

cc: The Honorable Tonnis Venhuizen, Lieutenant Governor

March 6, 2025

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on March 6, 2025, I approved House Bills 1044, 1052, 1099, 1144, and 1189, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Larry Rhoden
Governor

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **HB 1008, 1012, 1041, 1071, 1083, 1096, 1114, 1131, 1161, 1188, 1216, and 1238** and finds the same correctly enrolled.

Respectfully submitted,
Jon Hansen, Chair

1 MR. SPEAKER:

2 The Committee on Legislative Procedure respectfully reports that **HB 1094, 1192, 1195, and**
3 **1196** were delivered to his Excellency, the Governor, for his approval at 12:33 p.m., March 6, 2025.

4 Respectfully submitted,
5 Jon Hansen, Chair

6 Also MR. SPEAKER:

7 The Committee on Legislative Procedure respectfully reports that **HJR 5001** was delivered to
8 her Excellency, the Secretary of State, for filing at 12:33 p.m., March 6, 2025.

9 Respectfully submitted,
10 Jon Hansen, Chair

11 MR. SPEAKER:

12 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
13 under consideration **SB 144** and returns the same with the recommendation that said bill do pass.

14 Also MR. SPEAKER:

15 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
16 under consideration **SB 120** and returns the same with the recommendation that said bill do pass,
17 and having been certified as uncontested, be placed on the consent calendar.

18 Respectfully submitted,
19 Marty Overweg, Chair

20 MR. SPEAKER:

21 The House Committee on Appropriations respectfully reports that it has had under
22 consideration **SB 70 and 127** and returns the same with the recommendation that said bills do
23 pass.

24 Respectfully submitted,
25 Mike Derby, Chair

26 **MESSAGES FROM THE SENATE**

27 MR. SPEAKER:

28 I have the honor to return herewith **HB 1008, 1012, 1041, 1083, 1096, 1161, 1216, and**
29 **1238** which have passed the Senate without change.

30 Also MR. SPEAKER:

31 I have the honor to inform your honorable body that the Senate has concurred in House
32 amendments to **SB 62**.

33 Respectfully,
34 Peggy Laurenz, Secretary

1

MOTIONS AND RESOLUTIONS

2

Rep. Odenbach moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on Monday, March 10, 2025, the 34th legislative day.

4

Which motion prevailed.

5

Rep. Mulder moved that the House do concur in Senate amendments to **HB 1016**.

6

The question being on Rep. Mulder's motion that the House do concur in Senate amendments to **HB 1016**.

8

And the roll being called:

9

Yeas 66, Nays 3, Excused 1, Absent 0

10

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, Derby, Duffy, Emery, Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison, Jorgenson, Kasson, 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, Schaeffbauer, Schwans, Shorma, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

17

Nays: Jensen (Phil), Jordan, and Soye

18

Excused: DeGroot

19

So the motion having received an affirmative vote of a two-thirds majority of the members-elect, the Speaker declared the motion carried and the amendments were concurred in.

20

21

Rep. Schwans moved that the House do concur in Senate amendments to **HB 1232**.

22

The question being on Rep. Schwans' motion that the House do concur in Senate amendments to **HB 1232**.

23

24

And the roll being called:

25

Yeas 69, Nays 0, Excused 1, Absent 0

26

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, Derby, Duffy, Emery, Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kasson, 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, Schaeffbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

33

Excused: DeGroot

34

So the motion having received an affirmative vote of a two-thirds majority of the members-elect, the Speaker declared the motion carried and the amendments were concurred in.

35

Rep. Odenbach moved that **SB 216** be deferred to Monday, March 10, 2025, the 34th legislative day.

Which motion prevailed.

Rep. Ladner moved that **SB 169** be deferred to Monday, March 10, 2025, the 34th legislative day.

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

The Speaker declared Rep. Ladner's motion prevailed.

CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Odenbach moved that the report of the Standing Committee on

State Affairs on **SB 191** as found on page 469 of the House Journal be adopted.

Which motion prevailed and the report was adopted.

SECOND READING AND CONSIDERATION OF CONSENT CALENDAR ITEMS

Rep. Sjaarda requested that **SB 164** be removed from the Consent Calendar.

SB 73: FOR AN ACT ENTITLED, An Act to require that an individual registering as a voter when applying for a driver license be a resident of this state for the purposes of voting.

SB 88: FOR AN ACT ENTITLED, An Act to increase the amount of exempt proceeds when a homestead is sold or divided by court order.

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

SB 173: FOR AN ACT ENTITLED, An Act to revise the process by which a recount may be requested.

SB 215: FOR AN ACT ENTITLED, An Act to remove the prohibition against a landowner having an easement on the landowner's property.

SJR 505: A JOINT RESOLUTION, Proposing and submitting to the voters at the next general election an amendment to the Constitution of the State of South Dakota, establishing the trust for unclaimed property fund.

Were read the second time.

The question being "Shall **SB 73, 88, and 215** pass as amended, and **SB 115 and 173** pass, and **SJR 505** be adopted as amended?"

And the roll being called:

Yeas 69, Nays 0, Excused 1, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, 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, Schaefbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Excused: DeGroot

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

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 131: FOR AN ACT ENTITLED, An Act to establish an electronic system for vehicle titles.

Was read the second time.

The question being "Shall **SB 131** pass as amended?"

And the roll being called:

Yeas 68, Nays 1, Excused 1, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, Derby, Duffy, Emery, Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, 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, Schaefbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Nays: Hunt

Excused: DeGroot

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.

SB 90: FOR AN ACT ENTITLED, An Act to clarify provisions regarding tax deeds.

Was read the second time.

The question being "Shall **SB 90** pass?"

And the roll being called:

Yeas 68, Nays 1, Excused 1, Absent 0

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

1 Nays: Mulally

2 Excused: DeGroot

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

5 **SB 6:** FOR AN ACT ENTITLED, An Act to authorize a loan from the South Dakota housing
6 infrastructure fund to a school district adjoining a federal military installation for the construction or
7 expansion of a school building.

8 Was read the second time.

9 Rep. Rehfeldt moved that **SB 6** be amended as follows:

10 6H

11 On page 1, line 1, of the Senate Engrossed bill, delete "transfer certain moneys and create a
12 fund to support capital and infrastructure projects necessitated by the expansion of Ellsworth Air
13 Force Base" and insert "authorize a loan from the South Dakota housing infrastructure fund to a
14 school district adjoining a federal military installation for the construction or expansion of a school
15 building"

16 On the Senate Engrossed bill, delete everything after the enacting clause and insert:

17 "

18 **Section 1. That § 11-15-6 be AMENDED:**

19 **11-15-6.** The authority shall promulgate rules, pursuant to chapter 1-26, specifying the
20 criteria and process for the application, approval, and disbursement of ~~loans~~:

21 (1) Loans and grants provided in this chapter accordance with §§ 11-15-1 to 11-15-5, inclusive,
22 and § 11-15-7; and

23 (2) Loans provided in accordance with section 2 of this Act.

24 **Section 2. That a NEW SECTION be added to chapter 11-15:**

25 In addition to any other loan or grant authorized in § 11-15-2, the authority may make a loan
26 from the South Dakota housing infrastructure fund, as created in § 11-15-2, to a school district
27 adjoining a federal military installation for the purpose of constructing or expanding a school
28 building, as defined in § 34-44-2. The authority must provide the loan to the district at an interest
29 rate of zero percent and may not require collateral from the district. The loan may not exceed an
30 aggregate of fifteen million dollars.

31 The terms of the loan must require that the payments be based on a straight and level
32 amortization of twenty years and be made annually over a term of twenty years, with the first
33 payment due one year from the date of the funding of the loan.

34 Any loan issued pursuant to this section must be approved by the authority at a public meeting
35 held pursuant to chapter 1-25 and issued prior to June 30, 2029.

36 Thirty percent of any loan issued pursuant to this section must be made from moneys that are
37 otherwise available for municipalities having a population of fifty thousand or more, pursuant to
38 subdivision 11-15-3(1), and seventy percent from moneys that are otherwise available in all other
39 areas of the state, pursuant to subdivision 11-15-3(2).

1 Any loan issued pursuant to this section is exempt from the provisions of chapter 6-8B and §§
2 13-19-2 to 13-19-6, inclusive.

3 All moneys received by the authority in repayment of a loan issued pursuant to this section
4 must be deposited in the South Dakota housing infrastructure fund and used for making new loans,
5 pursuant to § 11-15-2. "

6 Rep. Ismay rose to a point of order that Rep. Goodwin speak to the amendment not the bill.

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

8 The question being on Rep. Rehfeldt's motion that **SB 6** be amended.

9 The Speaker declared Rep. Rehfeldt's motion prevailed.

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

11 And the roll being called:

12 Yeas 41, Nays 28, Excused 1, Absent 0

13 Yeas: Arlint, Bahmuller, Bathke, Czmowski, Derby, Duffy, Emery, Goodwin, Greenfield,
14 Halverson, Healy, Heermann, Heinemann, Jamison, Jorgenson, Kassin, Kolbeck (Jack), Kull, Ladner,
15 Massie, Moore, Mortenson, Muckey, Mulder, Novstrup, Peterson (Drew), Rehfeldt, Reimer, Reisch,
16 Rice, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram,
17 and Wittman

18 Nays: Andera, Auch, Aylward, Baxter, Fitzgerald, Garcia, Gosch, Hughes, Hunt, Ismay,
19 Jensen (Phil), Jordan, Kayser, Lems, Manhart, May, Mulally, Nolz, Odenbach, Overweg, Pourier,
20 Randolph, Reder, Schaeffbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

21 Excused: DeGroot

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

24 **SB 68:** FOR AN ACT ENTITLED, An Act to require an individual be a citizen of the United States
25 before being eligible to vote and to provide a penalty therefor.

26 Was read the second time.

27 Rep. Manhart moved that **SB 68** be amended as follows:

28 68H

29 On page 1, line 22, of the House State Affairs Engrossed bill, delete " 1 misdemeanor" and
30 insert " 6 felony"

31 On page 2, line 6, of the House State Affairs Engrossed bill, delete " 1 misdemeanor" and insert
32 " 6 felony"

33 A roll call vote was requested.

34 Which request was supported.

35 The question being on Rep. Manhart's motion that **SB 68** be amended.

1 And the roll being called:

2 Yeas 31, Nays 38, Excused 1, Absent 0

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

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

11 Excused: DeGroot

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

14 Rep. Jamison moved that **SB 68** be amended as follows:

15 68J

16 On page 1, line 1, of the House State Affairs Engrossed bill, delete "require an individual be a
17 citizen of the United States before being eligible to vote and to " and insert "clarify the qualifications
18 of a voter and crimes related to voting and to "

19 On page 2, line 2, of the House State Affairs Engrossed bill, after "election." insert "

20 This section does not apply to a state employee who is acting in an official capacity."

21 Which motion lost.

22 The question being "Shall **SB 68** pass as amended?"

23 And the roll being called:

24 Yeas 63, Nays 6, Excused 1, Absent 0

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

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

33 Excused: DeGroot

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.

36 **SB 14:** FOR AN ACT ENTITLED, An Act to revise and repeal provisions related to agricultural
37 production facilities and to provide a penalty therefor.

38 Was read the second time.

1 The question being "Shall **SB 14** pass as amended?"

2 And the roll being called:

3 Yeas 67, Nays 2, Excused 1, Absent 0

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

11 Nays: Bahmuller and Novstrup

12 Excused: DeGroot

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

15 **SB 113**: FOR AN ACT ENTITLED, An Act to provide protections for parental rights.

16 Was read the second time.

17 Rep. Reisch moved that **SB 113** be amended as follows:

18 113C

19 On page 1, line 8, of the Senate State Affairs Engrossed bill, after "law." insert "

20 No person may use this section to challenge a proceeding under chapters 26-7A or 26-8A."

21 Rep. Rehfeldt requested a roll call vote.

22 Which request was supported.

23 The question being on Rep. Reisch's motion that **SB 113** be amended.

24 And the roll being called:

25 Yeas 37, Nays 32, Excused 1, Absent 0

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

30 Nays: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Gosch, Heinemann, Hughes, Hunt,
31 Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Mulally, Mulder, Nolz,
32 Novstrup, Odenbach, Overweg, Randolph, Reder, Rice, Schaeftbauer, Schwans, Sjaarda, Soye, and
33 Speaker Hansen

34 Excused: DeGroot

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

1 The question being "Shall **SB 113** pass as amended?"

2 And the roll being called:

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

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

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

12 Excused: DeGroot

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

15 **SB 143:** FOR AN ACT ENTITLED, An Act to modify the composition and staffing requirements
16 of the South Dakota-Ireland Trade Commission.

17 Was read the second time.

18 The question being "Shall **SB 143** pass?"

19 And the roll being called:

20 Yeas 63, Nays 6, Excused 1, Absent 0

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

28 Nays: Gosch, Ismay, May, Mortenson, Mulally, and Soye

29 Excused: DeGroot

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

32 **SJR 503:** A JOINT RESOLUTION, Proposing and submitting to the voters at the next general
33 election an amendment to the Constitution of the State of South Dakota, clarifying that an individual
34 must be a citizen of the United States to be eligible to vote.

35 Was read the second time.

36 The question being "Shall **SJR 503** pass as amended?"

37 And the roll being called:

1 Yeas 58, Nays 11, Excused 1, Absent 0

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

8 Nays: Halverson, Healy, Kull, Muckey, Pourier, Roe, Stevens, Uhre-Balk, Weems, Weisgram,
9 and Wittman

10 Excused: DeGroot

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

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

14 Was read the second time.

15 The question being "Shall **SB 3** pass as amended?"

16 And the roll being called:

17 Yeas 51, Nays 18, Excused 1, Absent 0

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

24 Nays: Auch, Aylward, Baxter, Garcia, Gosch, Hunt, Ismay, Jensen (Phil), Jordan, Lems,
25 Manhart, Mulally, Overweg, Pourier, Randolph, Reder, Schaeffbauer, and Soye

26 Excused: DeGroot

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

29 **SB 26:** FOR AN ACT ENTITLED, An Act to reduce employer contribution rates and increase the
30 administrative fee rate for reemployment assistance.

31 Was read the second time.

32 The question being "Shall **SB 26** pass?"

33 And the roll being called:

34 Yeas 65, Nays 4, Excused 1, Absent 0

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

8 Nays: Overweg, Pourier, Schaeftbauer, and Soye

9 Excused: DeGroot

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

12 **SB 28:** FOR AN ACT ENTITLED, An Act to revise provisions relating to licensing fees and license
13 renewal dates for the practice of barbering and to declare an emergency.

14 Was read the second time.

15 The question being "Shall **SB 28** pass?"

16 And the roll being called:

17 Yeas 62, Nays 7, Excused 1, Absent 0

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

25 Nays: Aylward, Jensen (Phil), Jordan, Manhart, Pourier, Randolph, and Soye

26 Excused: DeGroot

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

29 **SB 32:** FOR AN ACT ENTITLED, An Act to revise amounts for licensing fees for the practice of
30 accountancy.

31 Was read the second time.

32 The question being "Shall **SB 32** pass?"

33 And the roll being called:

34 Yeas 56, Nays 13, Excused 1, Absent 0

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

7 Nays: Andera, Aylward, Gosch, Jensen (Phil), Jordan, Manhart, Mulally, Overweg, Pourier,
8 Randolph, Reder, Schwans, and Soye

9 Excused: DeGroot

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

12 **SB 64:** FOR AN ACT ENTITLED, An Act to revise provisions related to the establishment of an
13 initial parole date.

14 Was read the second time.

15 The question being "Shall **SB 64** pass as amended?"

16 And the roll being called:

17 Yeas 63, Nays 6, Excused 1, Absent 0

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

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

26 Excused: DeGroot

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

29 **SB 100:** FOR AN ACT ENTITLED, An Act to limit the imposition of restrictions on the carrying
30 of a concealed pistol and other items of self-defense while on the campus of a public institution of
31 higher education.

32 Was read the second time.

33 The question being "Shall **SB 100** pass as amended?"

34 And the roll being called:

35 Yeas 55, Nays 14, Excused 1, Absent 0

1 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, Derby, Duffy,
2 Fitzgerald, Garcia, Goodwin, Gosch, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil),
3 Jordan, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Ladner, Lems, Manhart, Massie, May, Moore,
4 Mortenson, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier,
5 Randolph, Reder, Rehfeldt, Reimer, Rice, Roby, Schaeffbauer, Schwans, Sjaarda, Soye, Van Diepen,
6 Vasgaard, Weems, Weisgram, and Speaker Hansen

7 Nays: Emery, Greenfield, Halverson, Healy, Heermann, Kull, Muckey, Reisch, Roe, Shorma,
8 Stevens, Uhre-Balk, Walburg, and Wittman

9 Excused: DeGroot

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

12 SIGNING OF BILLS

13 The Speaker publicly read the title to

14 **HB 1008:** FOR AN ACT ENTITLED, An Act to include a hybrid facility as a facility to be regulated
15 by the Public Utilities Commission.

16 **HB 1012:** FOR AN ACT ENTITLED, An Act to clarify the status of the Statewide One-Call
17 Notification Board as an agency administered by the Department of Public Safety and the duties of
18 the Board.

19 **HB 1041:** FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions pertaining to
20 the state library and State Library Board.

21 **HB 1071:** FOR AN ACT ENTITLED, An Act to modify practice criteria for physician assistants.

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

24 **HB 1096:** FOR AN ACT ENTITLED, An Act to prohibit eligibility for a suspended imposition of
25 sentence for certain rape offenses.

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

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

30 **HB 1161:** FOR AN ACT ENTITLED, An Act to allow additional forms to verify military service
31 for a veteran designation on a commercial driver license or commercial learner's permit.

32 **HB 1188:** FOR AN ACT ENTITLED, An Act to allow nonresident military members to purchase
33 three-day temporary nonresident waterfowl licenses.

34 **HB 1216:** FOR AN ACT ENTITLED, An Act to modify and repeal provisions related to the
35 Legislative Research Council.

36 **HB 1238:** FOR AN ACT ENTITLED, An Act to establish protections for a veteran seeking
37 assistance in a veterans' benefit matter.

38 **SB 24:** FOR AN ACT ENTITLED, An Act to revise provisions relating to the promulgation of
39 rules to set licensing and inspection fees for plumbers and related professions.

SB 27: FOR AN ACT ENTITLED, An Act to revise provisions relating to licensing fees for cosmetology, esthetics, and nail technology.

SB 31: FOR AN ACT ENTITLED, An Act to revise amounts for inspection fees for electrical installations.

SB 45: FOR AN ACT ENTITLED, An Act to impose a motor vehicle technology fee.

SB 54: FOR AN ACT ENTITLED, An Act to revise the distribution of revenue from the cigarette tax.

SB 56: FOR AN ACT ENTITLED, An Act to authorize the payment of lease rental obligations to the South Dakota Building Authority by the Bureau of Finance and Management, to make an appropriation therefore, and to declare an emergency.

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 59: FOR AN ACT ENTITLED, An Act to revise provisions relating to the delivery, possession with intent to deliver, and possession of unauthorized articles in a state correctional facility, and to provide a penalty therefor.

SB 61: FOR AN ACT ENTITLED, An Act to modify the authority of the Board of Internal Control.

SB 62: FOR AN ACT ENTITLED, An Act to establish mandatory reporting requirements related to improper governmental conduct and crime, and to provide a penalty therefor.

SB 69: FOR AN ACT ENTITLED, An Act to revise provisions related to trusts.

SB 89: FOR AN ACT ENTITLED, An Act to repeal the requirement that judicial officers be listed on a separate nonpolitical ballot.

SB 92: FOR AN ACT ENTITLED, An Act to require that the director of the Legislative Research Council and the secretary of state review an initiated measure and determine if the measure embraces more than one subject.

SB 106: FOR AN ACT ENTITLED, An Act to require an individual be registered as a voter of this state before being eligible to be a petition sponsor for a ballot measure.

SB 116: FOR AN ACT ENTITLED, An Act to revise and repeal provisions related to street racing prohibitions and to provide a penalty therefor.

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

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.

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

SB 154: FOR AN ACT ENTITLED, An Act to prohibit pharmaceutical manufacturers from interfering in contracts between 340B entities and pharmacies and to provide a penalty therefor.

SB 155: FOR AN ACT ENTITLED, An Act to reduce the amount of net receipts of unclaimed property deposited into the general fund.

SB 171: FOR AN ACT ENTITLED, An Act to add questions about historical property to seller's disclosure statement.

1 **SB 185:** FOR AN ACT ENTITLED, An Act to amend provisions pertaining to the process by
2 which the qualifications of a registered voter are verified.

3 **SB 193:** FOR AN ACT ENTITLED, An Act to allow an applicant to have an interpreter present
4 during the driving portion of a driver license exam.

5 **SJR 501:** A JOINT RESOLUTION, Providing legislative approval for a future use water permit
6 application by the Western Dakota Regional Water System.

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

8 Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at
9 4:19 p.m. the House adjourned.

10

Patricia Miller, Chief Clerk