

JOURNAL OF THE HOUSE

NINETY-FIFTH SESSION

SIXTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, January 22, 2020

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

The prayer was offered by the Chaplain, Rev. Corey Rajek, followed by the Pledge of Allegiance led by House page Destiny Haas.

Roll Call: All members present except Reps. Deutsch, Howard, and Marty who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the fifth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Which motion prevailed.

Respectfully submitted,
Steven G. Haugaard, Chair

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REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration **HB 1030** and returns the same with the recommendation that said bill do pass.

Respectfully submitted,
Lana Greenfield, Chair

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **HB 1057** and returns the same with the recommendation that said bill be amended as follows:

1057A

On page 1, line 15, of the Introduced bill, after "minor" insert "under the age of sixteen"

On page 1, line 15, after "minor," delete "including an emancipated minor, "

1057B

On page 1, line 17, of the Introduced bill, delete "Class 4 felony" and insert "Class 1 misdemeanor"

1057C

On page 1, line 6, of the Introduced bill, after "assistant," delete "nurse,"

On page 1, line 7, after "specialist," insert "or"

On page 1, line 7, after "practitioner" delete ", an anesthetist, or medical assistant"

And that as so amended, said bill do pass.

Respectfully submitted,
Lee Qualm, Chair

Also MR. SPEAKER:

The Committee on House Commerce and Energy respectfully reports that it has had under consideration **HB 1015 and 1018** and returns the same with the recommendation that said bills do pass.

Also MR. SPEAKER:

The Committee on House Commerce and Energy respectfully reports that it has had under consideration **HB 1016 and 1017** and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
Tim Rounds, Chair

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MESSAGES FROM THE SENATE

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Mr. SPEAKER:

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I have the honor to transmit herewith **SB 25** which has passed the Senate and your favorable consideration is respectfully requested.

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Respectfully submitted,
Kay Johnson, Secretary

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CONSIDERATION OF REPORTS OF COMMITTEES

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Rep. Qualm moved that the report of the Standing Committee on Joint Legislative Procedure be adopted and that the temporary Joint rules adopted by the Ninety-fifth Legislative Session be adopted as the permanent Joint rules of the Ninety-fifth Legislative Session with the changes adopted in the Joint Legislative Procedure Committee report.

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The question being on Rep. Qualm's motion that the report of the Standing Committee on Joint Legislative Procedure be adopted and that the temporary Joint rules adopted by the Ninety-fifth Legislative Session be adopted as the permanent Joint rules of the Ninety-fifth Legislative Session with the changes adopted in the Joint Legislative Procedure Committee report.

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And the roll being called:

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Yeas 39, Nays 27, Excused 4, Absent 0

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Yeas:

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Bartels, Beal, Chaffee, Dennert, Diedrich, Finck, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Hansen, Kevin Jensen, Johns, Chris Johnson, David Johnson, Koth, Livermont, Mills, Milstead, Miskimins, Olson, Herman Otten, Overweg, Perry, Sue Peterson, Post, Qualm, Randolph, Rasmussen, Reimer, St. John, Steele, Wangness, Weis, Wiese, York, Zikmund, and Hugaard

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Nays:

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Anderson, Barthel, Bordeaux, Borglum, Brunner, Chase, Cwach, Duba, Duvall, Glanzer, Healy, Hunhoff, Karr, Latterell, Lesmeister, McCleerey, Mulally, Kent Peterson, Pischke, Pourier, Reed, Ring, Rounds, Saba, Jamie Smith, Sullivan, and Willadsen

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Excused:

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Deutsch, Hammock, Howard, and Marty

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

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Rep. Qualm moved that the report of the Standing Committee on Local Government on **HB 1055** as found on page 32 of the House Journal be adopted.

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Which motion prevailed and the report was adopted.

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FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1073: FOR AN ACT ENTITLED, An Act to authorize special event alcohol licenses for full-service restaurant licensees.

Introduced by: **Representative** Hunhoff

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

HB 1072: FOR AN ACT ENTITLED, An Act to place certain substances on the controlled substances schedule.

Introduced by: **Representative** Perry

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

HB 1074: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the required time that sexual assault kits be preserved.

Introduced by: **Representative** Reed

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

The following bill was read on January 15, 2020, and today the Speaker assigned this bill to committee:

HB 1058 was referred to the Committee on Agriculture and Natural Resources.

The following bill was read on January 21, 2020, and today the Speaker assigned this bill to committee:

HB 1071 was referred to the Committee on Agriculture and Natural Resources.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 25: FOR AN ACT ENTITLED, An Act to establish certain requirements to maintain state compliance with the Master Settlement Agreement.

Was read the first time.

SECOND READING OF CONSENT CALENDAR ITEMS

HB 1049: FOR AN ACT ENTITLED, An Act to establish a maximum on the number of words contained in a statement of a proponent or opponent for the ballot question pamphlet.

1 **HB 1052:** FOR AN ACT ENTITLED, An Act to change a reference from a secondary election to
2 a runoff election to maintain consistency in terms.

3 Were read the second time.

4 The question being "Shall **HB 1049 and 1052** pass?"

5 And the roll being called:

6 Yeas 65, Nays 2, Excused 3, Absent 0

7 Yeas:

8 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
9 Dennert, Diedrich, Duba, Duvall, Finck, Frye-Mueller, Glanzer, Goodwin, Lana Greenfield, Gross,
10 Hammock, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth,
11 Latterell, Lesmeister, Livermont, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman
12 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Post, Pourier, Qualm, Randolph, Rasmussen,
13 Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Weis,
14 Wiese, Willadsen, York, Zikmund, and Haugaard

15 Nays:

16 Gosch and Pischke

17 Excused:

18 Deutsch, Howard, and Marty

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

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

22 **HB 1005:** An Act to revise certain provisions regarding the use of telehealth technologies.

23 Was read the second time.

24 And the roll being called:

25 Yeas 67, Nays 0, Excused 3, Absent 0

26 Yeas:

27 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
28 Dennert, Diedrich, Duba, Duvall, Finck, Frye-Mueller, Glanzer, Goodwin, Gosch, Lana Greenfield,
29 Gross, Hammock, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson,
30 Karr, Koth, Latterell, Lesmeister, Livermont, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson,
31 Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Pourier, Qualm,
32 Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan,
33 Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Haugaard

34 Excused:

35 Deutsch, Howard, and Marty

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

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COMMEMORATIONS

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HC 8005: A LEGISLATIVE COMMEMORATION, Honoring and commending Police Officers Teil Glaus and Garrett Harmon, Highway Patrol Trooper Josh De Wild and Chief Deputy Sheriff Tory Engel on their heroic response and life-saving actions at the scene of an airplane crash in Chamberlain.

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Introduced by: **Representative** Reimer and **Senator** Heinert

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Was read the first time.

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Rep. Ring objected to the approval of **HC 8004** pursuant to Joint Rule 6H-4.

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The Speaker announced that **HC 8004** was disapproved.

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Rep. Steele moved that the House do now adjourn, which motion prevailed and at 2:48 p.m. the House adjourned.

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Mary Lou Goehring, Chief Clerk