

JOURNAL OF THE HOUSE

NINETY-FIFTH SESSION

SEVENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, January 23, 2020

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

The prayer was offered by the Chaplain, Fr. Joe Holzouser, followed by the Pledge of Allegiance led by House page Ryder Mortenson.

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 sixth 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

REPORTS OF STANDING COMMITTEES

1

2 MR. SPEAKER:

3 The Committee on House Taxation respectfully reports that it has had under consideration
4 **HB 1020** and returns the same with the recommendation that said bill do pass.

5 Also MR. SPEAKER:

6 The Committee on House Taxation respectfully reports that it has had under consideration
7 **HB 1019** and returns the same with the recommendation that said bill do pass, and having been
8 certified as uncontested, be placed on the consent calendar.

9 Respectfully submitted,
10 Mark Willadsen, Chair

11 Also MR. SPEAKER:

12 The Committee on House Local Government respectfully reports that it has had under
13 consideration **HB 1053** and returns the same with the recommendation that said bill do pass, and
14 having been certified as uncontested, be placed on the consent calendar.

15 Also MR. SPEAKER:

16 The Committee on House Local Government respectfully reports that it has had under
17 consideration **HB 1054** and returns the same with the recommendation that said bill be amended
18 as follows:

19 1054A

20 On page 1, line 15, of the Introduced bill, after the end of the last paragraph insert "

21 **Section 2.** That § 12-4-5.5 be AMENDED:

22 12-4-5.5. Verification of driver license or social security information.

23 At the time voter registration information is transmitted from a county to the statewide voter
24 registration file, the authenticity of the driver license number or nondriver identification number
25 shall be verified with the driver license database. If the person has provided the last four digits of
26 his or her social security number, the social security database shall be checked to determine that
27 the number, name, and date of birth are accurate and that this information does belong to such
28 person. If any of this information is reported as not being accurate, the county auditor shall withdraw
29 the voter registration and attempt to get the correct information with the process provided in § 12-
30 4-5.3. The State Board of Elections may promulgate rules, pursuant to chapter 1-26, determining
31 technical parameters for the driver license and social security database verification."

32 And that as so amended, said bill do pass.

33 Respectfully submitted,
34 Herman Otten, Chair

1 Also MR. SPEAKER:

2 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
3 under consideration **HB 1028** and returns the same with the recommendation that said bill be
4 amended as follows:

5 1028A

6 On page 10, line 17, of the Introduced bill, after the end of the last paragraph insert "

7 **Section 27.** That § 38-20A-51 be REPEALED.

8 38-20A-51. Prosecution of reported violations. "

9 And that as so amended, said bill do pass.

10 Respectfully submitted,
11 Thomas J. Brunner, Chair

12 Also MR. SPEAKER:

13 The Committee on House Transportation respectfully reports that it has had under
14 consideration **HB 1022** and returns the same with the recommendation that said bill be amended
15 as follows:

16 1022A

17 On page 1, line 1, of the Introduced bill, after "regarding" insert "dealer licenses for "

18 On page 1, line 2, delete "dealer licenses" and insert "sales"

19 And that as so amended, said bill do pass.

20 Respectfully submitted,
21 John Mills, Chair

22 **MESSAGES FROM THE SENATE**

23 MR. SPEAKER:

24 I have the honor to inform your honorable body that the Senate has approved the adoption
25 of the temporary joint rules adopted by the Ninety-fifth Legislative Session as the permanent joint
26 rules for the Ninety-fifth Legislative Session.

27 Also Mr. SPEAKER:

28 I have the honor to transmit herewith **SB 8, 10, 11, 12, and 44** which have passed the Senate
29 and your favorable consideration is respectfully requested.

30 Respectfully submitted,
31 Kay Johnson, Secretary

1

CONSIDERATION OF REPORTS OF COMMITTEES

2

Rep. Qualm moved that the report of the Standing Committee on State Affairs on **HB 1057** as found on page 40 of the House Journal be adopted.

3

Which motion prevailed and the report was adopted.

4

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

5

HB 1075: FOR AN ACT ENTITLED, An Act to repeal certain outdated provisions regarding annexation near airports.

6

Introduced by: **Representative** Duvall

7

HB 1076: FOR AN ACT ENTITLED, An Act to require a designation on a driver license for autism spectrum disorder under certain circumstances.

8

Introduced by: **Representative** Pischke

9

10

HB 1077: FOR AN ACT ENTITLED, An Act to establish certain requirements regarding funeral processions.

11

Introduced by: **Representative** Steele

12

13

HB 1078: FOR AN ACT ENTITLED, An Act to exempt firearms from retail sales tax and use tax.

14

Introduced by: **Representative** Pischke

15

16

HB 1079: FOR AN ACT ENTITLED, An Act to authorize a county to assess an administration fee for the processing of certain title applications.

17

Introduced by: **Representative** Goodwin

18

19

Were read the first time.

20

21

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

22

SB 8: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding insurance holding companies.

23

24

SB 10: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding cosmetology licensees.

25

26

SB 11: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding third party insurance plan administrators.

27

28

SB 12: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding comity licensure in the technical professions.

29

1 **SB 44:** FOR AN ACT ENTITLED, An Act to authorize the use of crime victims' compensation
2 funds to reimburse law enforcement for certain emergency expenses incurred for victims.

3 Were read the first time.

4 **SECOND READING OF CONSENT CALENDAR ITEMS**

5 **HB 1016:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding money
6 transmission.

7 **HB 1017:** FOR AN ACT ENTITLED, An Act to provide for certain insurer corporate governance
8 disclosure requirements.

9 Were read the second time.

10 The question being "Shall **HB 1016 and 1017** pass?"

11 And the roll being called:

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

13 Yeas:

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

21 Excused:

22 Deutsch, Howard, and Marty

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

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

26 **HB 1055:** An Act to revise certain provisions regarding the termination of a political committee
27 under certain circumstances.

28 Was read the second time.

29 Rep. Herman Otten moved that **HB 1055** be deferred to a later day. Prior to a date being
30 announced, Rep. Otten withdrew his motion.

31 Rep. Rounds moved that **HB 1055** be deferred to Wednesday, January 29, 2020, the 11th
32 legislative day.

33 Which motion prevailed.

34 **HB 1030:** An Act to revise certain provisions regarding the Board of Technical Education.

35 Was read the second time, after being inadvertently omitted from the consent calendar.

1 The question being "Shall **HB 1030** pass?"

2 And the roll being called:

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

4 Yeas:

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

12 Excused:

13 Deutsch, Howard, and Marty

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

16 **HB 1015:** An Act to revise certain provisions regarding banks.

17 Was read the second time.

18 The question being "Shall **HB 1015** pass?"

19 And the roll being called:

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

21 Yeas:

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

29 Excused:

30 Deutsch, Howard, and Marty

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 1018:** An Act to revise certain provisions regarding life and health insurance insolvencies.

34 Was read the second time.

35 The question being "Shall **HB 1018** pass?"

36 And the roll being called:

37 Yeas 66, Nays 0, Excused 4, Absent 0

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

9 Excused:
 10 Deutsch, Howard, Marty, and Mulally

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 **COMMEMORATIONS**

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

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

17 Was read the first time.

18 Rep. Qualm moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on Friday,
 19 January 24, 2020, the 8th legislative day.

20 Rep. Steele moved that the House do now adjourn, which motion prevailed and at 2:51 p.m.
 21 the House adjourned.

Mary Lou Goehring, Chief Clerk
 By Jackie Driscoll

24 **JOINT MEMORIAL SERVICE**

25 Pursuant to the report of the Joint-Select Committee, as found on page 18 of the House
 26 Journal, the Senate and the House of Representatives met in informal joint session in the House
 27 Chamber for the purpose of having a memorial service for deceased former members and reading
 28 of the following Joint Memorial Resolution:

29 **WHEREAS**, the Great Ruler of the Universe has ordered a final adjournment in the lives of
 30 fifteen former members of the South Dakota Legislature, namely: The *Honorable Gene Abdallah*;
 31 the *Honorable George Blair*; the *Honorable T. Loren Christianson*; the *Honorable Gary Drake*; the
 32 *Honorable Neal Hines*; the *Honorable Joyce Hodges*; the *Honorable LeRoy Kaufman*; the *Honorable*
 33 *Kenneth (K.O.) Kauth*; the *Honorable Doris Miner*; the *Honorable Robert Ruth*; the *Honorable*
 34 *Michael Shaw*; the *Honorable Carol (Fitzgerald) Simpson*; the *Honorable Sheldon Songstad*; the
 35 *Honorable Kermit Staggers*; and the *Honorable David Vigen*; and

36 **WHEREAS**, in the lives of all these eminent public servants there was noted a profound
 37 urgency in an unselfish manner, with trials and vicissitudes often far outweighing honors, but with
 38 a consciousness that here in a land of freedom the dignity of the individual is supreme, that justice

1 must be dispensed, and that only by eternal vigilance and unrelenting effort can self-government of
2 a people be preserved; and

3 **WHEREAS**, it is fitting that we humbly honor the memory of those who have thus contributed
4 to the orderly process of government under the Constitution:

5 **NOW, THEREFORE, BE IT RESOLVED**, by the Senate and the House of Representatives of
6 the Ninety-fifth Session of the Legislature of the State of South Dakota duly convened in recess
7 session in recognition of the useful lives and unfailing devotion to the interests of the State of South
8 Dakota, as well as the rectitude of thought and action and fidelity to the highest principles of
9 American citizenship by these honorable people, that the Senate and the House of Representatives
10 do now pause in their labors out of respect for the memory of their late fellow associates in the
11 functions of government, and note that in their passing, the state they have served so well has
12 suffered a distinct loss, and though their labors have ceased and they have been laid to rest, the
13 people of this great state have benefited greatly from the services rendered by them and they have
14 left upon the sands of time an inspiring record of devotion to their fellow citizens under the guiding
15 hand of Almighty God; and

16 **BE IT FURTHER RESOLVED**, that this Resolution be printed in the journals of the Senate
17 and the House of Representatives of the Ninety-fifth Session of the Legislature of the State of South
18 Dakota, now assembled this 23rd day of January, 2020, at Pierre, South Dakota.