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

The prayer was offered by the Chaplain, Rev. John Fette, followed by the Pledge of Allegiance led by House page Sage Arnold.

Roll Call: All members present except Reps. Pourier and St. John 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 eighth 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,
Steven G. Haugaard, Chair

Which motion prevailed.
The oath of office was administered by Speaker Haugaard to the following named pages:

Sage Arnold, Savannah Burton, Benjamin R. Connor, Slater Dixon, Gabe Fanning, Justice Jessop, Brayden Key, Grace Kock, Thomas LaFave, Nolan Rounds, Hadley Stiefvater, and Ella VanDam.

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

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration HB 1074 and returns the same with the recommendation that said bill do pass.

Respectfully submitted,
Jon Hansen, Chair

MESSAGES FROM THE SENATE

Mr. SPEAKER:

I have the honor to transmit herewith SB 9, 13, 27, 28, 31, 32, and 34 which have passed the Senate and your favorable consideration is respectfully requested.

Respectfully,
Kay Johnson, Secretary

MOTIONS AND RESOLUTIONS

HCR 6003: A CONCURRENT RESOLUTION, Supporting the Electoral College.

Introduced by: Representative Mulally

Was read the first time.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1091: FOR AN ACT ENTITLED, An Act to revise provisions regarding the compensation of merchandise dealers for diagnostic and warranty work.

Introduced by: Representative Goodwin

HB 1093: FOR AN ACT ENTITLED, An Act to establish a pipeline liability fund, to authorize a special fee for extraordinary expenses, and to make a continuous appropriation therefor.

Introduced by: Representative Bordeaux at the request of the Committee on State-Tribal Relations
HB 1094: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding permits for concealed pistols.

Introduced by: Representative Brunner

HB 1097: FOR AN ACT ENTITLED, An Act to modify requirements for a marriage license.

Introduced by: Representative Reimer

HB 1098: FOR AN ACT ENTITLED, An Act to authorize certain off-sale licenses for certain entities and to declare an emergency.

Introduced by: Representative Hansen

HB 1099: FOR AN ACT ENTITLED, An Act to authorize counties to impose a temporary sales and use tax and to issue revenue bonds to fund certain county infrastructure construction.

Introduced by: Representative York

HB 1100: FOR AN ACT ENTITLED, An Act to make an appropriation to begin the research and development of a new bioprocessing facility and to declare an emergency.

Introduced by: Representative Anderson

HB 1101: FOR AN ACT ENTITLED, An Act to provide for the reinstatement of a driver license under certain conditions.

Introduced by: Representative Kevin Jensen

Were read the first time.

HB 1095: FOR AN ACT ENTITLED, An Act to revise requirements regarding hunting mentors.

Introduced by: Representative Brunner

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

HB 1086: FOR AN ACT ENTITLED, An Act to repeal certain fees charged by a clerk of courts.

Introduced by: The Committee on Judiciary at the request of the Chief Justice

HB 1087: FOR AN ACT ENTITLED, An Act to authorize a clerk of courts to provide certain notices by electronic mail.

Introduced by: The Committee on Judiciary at the request of the Chief Justice

HB 1088: FOR AN ACT ENTITLED, An Act to create a penalty for violation of a vulnerable adult protection order.

Introduced by: The Committee on Judiciary at the request of the Chief Justice
HB 1089: FOR AN ACT ENTITLED, An Act to provide for the discharge of certain persons who received a suspended imposition of sentence for a misdemeanor.

Introduced by: The Committee on Judiciary at the request of the Chief Justice

HB 1092: FOR AN ACT ENTITLED, An Act to establish immunity from liability for injuries to or the death of a person engaged in off-road vehicle activity under certain circumstances.

Introduced by: Representative Goodwin

HB 1096: FOR AN ACT ENTITLED, An Act to prohibit commercial surrogacy contracts and provide a penalty for facilitating a commercial surrogacy.

Introduced by: Representative Hansen

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

HB 1090: FOR AN ACT ENTITLED, An Act to make an appropriation to evaluate the feasibility of the use of telehealth services within the criminal justice system and to declare an emergency.

Introduced by: The Committee on Judiciary at the request of the Chief Justice

Was read the first time and referred to the Joint Committee on Appropriations.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 9: FOR AN ACT ENTITLED, An Act to repeal the Department of Labor and Regulation's retirement plan and to transfer plan members and funds to the South Dakota Retirement System.

SB 13: FOR AN ACT ENTITLED, An Act to revise certain educational requirements for the practice of barbering.

SB 27: FOR AN ACT ENTITLED, An Act to establish a missing persons clearinghouse.

SB 28: FOR AN ACT ENTITLED, An Act to repeal provisions regarding the restricted real estate broker's license for auctioneers.

SB 31: FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions relating to the South Dakota Retirement System.

SB 32: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the administration of certain family and surviving spouse benefits of the South Dakota Retirement System.

SB 34: FOR AN ACT ENTITLED, An Act to establish a qualified benefit preservation arrangement for eligible members of the South Dakota Retirement System.

Were read the first time.

SECOND READING OF CONSENT CALENDAR ITEMS

HB 1019: FOR AN ACT ENTITLED, An Act to revise certain references to the Internal Revenue Code.
HB 1021: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the South Dakota Lottery Commission.

HB 1031: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding school district fiduciary funds.

HB 1037: FOR AN ACT ENTITLED, An Act to update the adoption of certain American Society for Testing and Materials and National Institute of Standards and Technology standards and certain federal regulations.

HB 1038: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding manufactured home construction and safety standards.

HB 1053: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the submission process for ballot measures.

Were read the second time.

The question being "Shall HB 1019, 1021, 1031, 1037, 1038, and 1053 pass?"

And the roll being called:

Yeas 68, Nays 0, Excused 2, Absent 0

Yeas:

Excused:
Pourier and St. John

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 HOUSE BILLS AND JOINT RESOLUTIONS

Rep. Qualm moved that HB 1032, 1054, and 1057 be deferred to Wednesday, January 29, 2020, the 11th legislative day.

Which motion prevailed.

HB 1020: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the use of exemption certificates.

Was read the second time.

The question being "Shall HB 1020 pass?"

And the roll being called:

Yeas 68, Nays 0, Excused 2, Absent 0
Yeas:
Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
Dennert, Deutsch, Diedrich, Duba, Duvall, Finck, Frye-Mueller, Glanzer, Goodwin, Gosch, Lana
Greenfield, Gross, Hammock, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson,
David Johnson, Karr, Koth, Latterell, Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead,
Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke,
Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, Steele,
Sullivan, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Excused:
Pourier and St. John

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.

Speaker Pro tempore Gosch now presiding.

HB 1028: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding pesticide
registration and application.

Was read the second time.

The question being "Shall HB 1028 pass as amended?"

And the roll being called:

Yeas 67, Nays 1, Excused 2, Absent 0

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

Nays:
Rasmussen

Excused:
Pourier and St. John

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 1022: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding dealer licenses
for motor vehicle, snowmobile, and boat sales.

Was read the second time.
The question being "Shall HB 1022 pass as amended?"

And the roll being called:

Yeas 68, Nays 0, Excused 2, Absent 0

Yeas:

Excused:
Pourier and St. John

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 1001**: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the organization of the Legislature.

Was read the second time.

Rep. Hunhoff moved that HB 1001 be amended as follows:

On page 1, lines 3 through 4, of the Introduced bill, after "Dakota:" delete "Section 1. That § 2-4-1 be REPEALED."

2-4-1. Time and place of regular sessions. "

On page 1, lines 5 through 6, after "sessions." delete "Section 2. That § 2-5-2 be REPEALED."

2-5-2. Elective officers of Senate."

On page 1, lines 7 through 8, after "Senate." delete "Section 3. That § 2-5-3 be REPEALED."

2-5-3. Elective officers of house. "

On page 1, lines 9 through 10, after "house." delete "Section 4. That § 2-5-3. 1 be REPEALED."

2-5-3. 1. Tie vote for organizing House of Representatives. "

On page 1, lines 11 through 12, after "Representatives." delete "Section 5. That § 2-5-5 be REPEALED."

2-5-5. Appointment of legislative employees by presiding officers. "

A voice vote was held which Speaker declared had failed.

A roll call vote was requested.
Rep. Sue Peterson rose to a point of order, saying the Speaker had gavelled before the roll call was requested. Which was not sustained.

Rep. Goodwin rose to a point of order, saying a roll call vote needs to be supported by 1/6 of the body. Which was sustained.

A roll call was supported.

The question being on Rep. Hunhoff’s motion that HB 1001 be amended.

And the roll being called:

Yeas 23, Nays 45, Excused 2, Absent 0

Yeas:
Anderson, Bartels, Barthel, Bordeaux, Borglum, Chase, Diedrich, Duba, Duvall, Glanzer, Healy, Hunhoff, Johns, David Johnson, Milstead, Olson, Herman Otten, Kent Peterson, Reed, Rounds, Sullivan, Willadsen, and York

Nays:
Beal, Brunner, Chaffee, Cwach, Dennert, Deutsch, Finck, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Howard, Kevin Jensen, Chris Johnson, Karr, Koth, Latterell, Lesmeister, Livermont, Marty, McCleerey, Mills, Miskimins, Mulally, Overweg, Perry, Sue Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, Reimer, Ring, Saba, Jamie Smith, Steele, Wangsness, Weis, Wiese, York, Zikmund, and Speaker Haugaard

Excused:
Pourier and St. John

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

The question being "Shall HB 1001 pass?"

And the roll being called:

Yeas 42, Nays 26, Excused 2, Absent 0

Yeas:

Nays:
Anderson, Barthel, Borglum, Chase, Cwach, Duba, Duvall, Glanzer, Hammock, Healy, Hunhoff, Johns, David Johnson, Koth, Milstead, Olson, Herman Otten, Overweg, Kent Peterson, Reed, Reimer, Ring, Rounds, Saba, Sullivan, and Willadsen

Excused:
Pourier and St. John

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 1002: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding documents of the Legislature.

Was read the second time.

The question being "Shall HB 1002 pass?"

And the roll being called:

Yeas 66, Nays 2, Excused 2, Absent 0

Yeas:

Nays:
Latterell and Rounds

Excused:
Pourier and St. John

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 1003: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding legislative employees.

Was read the second time.

The question being "Shall HB 1003 pass?"

And the roll being called:

Yeas 55, Nays 13, Excused 2, Absent 0

Yeas:

Nays:
Anderson, Barthel, Borglum, Cwach, Duba, Duvall, Olson, Herman Otten, Kent Peterson, Reed, Rounds, Sullivan, and Willadsen

Excused:
Pourier and St. John

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.
Speaker Haugaard now presiding.

HB 1010: FOR AN ACT ENTITLED, An Act to revise provisions regarding testimony of qualified mental health professionals at involuntary commitment hearings.

Was read the second time.

The question being "Shall HB 1010 pass?"

And the roll being called:

Yeas 68, Nays 0, Excused 2, Absent 0

Yees:

Excused:
Pourier and St. John

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.

COMMEMORATIONS

HC 8007: A LEGISLATIVE COMMEMORATION, Commending the South Dakota Army National Guard's Ellwein family of Rapid City for being awarded the Association of the United States Army Volunteer Family of the Year Award for 2019.


Was read the first time.

Rep. Steele moved that the House do now adjourn, which motion prevailed and at 3:53 p.m. the House adjourned.

Mary Lou Goehring, Chief Clerk