The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Pastor Justin Warfel, followed by the Pledge of Allegiance led by Senate page Brooklyn Swenson.

Roll Call: All members present except Sen. Foster who was excused.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the fourteenth 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,
Brock L. Greenfield, Chair

Which motion prevailed.
MR. PRESIDENT:

The Committee on Senate Judiciary respectfully reports that it has had under consideration SB 80 and returns the same with the recommendation that said bill be amended as follows:

On page 1, line 9, of the Introduced bill, delete "If actual travel is made in collecting taxes, the " and insert "The ".

On page 1, line 10, of the Introduced bill, after "penalty, " delete "in lieu of mileage,"

On page 1, line 11, of the Introduced bill, after "fifteen " insert "fifty dollars or ".

On page 1, line 11, of the Introduced bill, after "due" insert ", whichever is more".

On page 1, line 14, of the Introduced bill, after "law. " delete " However, the sheriff is not allowed mileage for collecting taxes within the corporate limits of the county seat."

On page 1, line 16, of the Introduced bill, after "seat." insert ".

Section 1. That § 10-56-22 be AMENDED:


The sheriff shall collect the following fees for collecting taxes: twenty-five dollars for making the sheriff’s return on the sheriff’s warrant of authority; fifteen fifty dollars for each levy; ten dollars for each sale; and the necessary costs of distress and sale. The fees and costs shall be collected from the tax debtor or the tax debtor’s property. If actual travel is made in collecting taxes, the sheriff shall also collect from the tax debtor or the tax debtor’s property an additional penalty, in lieu of mileage, equal to fifteen fifty dollars or six percent of the amount of tax and interest due, whichever is more. All fees and costs collected, shall be credited to the general fund of the county.

And that as so amended, said bill do pass.

Also MR. PRESIDENT:

The Committee on Senate Judiciary respectfully reports that it has had under consideration SB 98 and returns the same with the recommendation that said bill be amended as follows:

On page 2, line 2, of the Introduced bill, delete "The Except as otherwise provided in subsection (d), the notification required by this subdivision includes:

(i) Includes the date on which or the range of dates during which the person intends to possess a concealed pistol in the state capitol, provided the range of dates may not exceed thirty consecutive days; and

(ii) May be renewed as necessary and without limit;
(d) In the case of a person who meets the requirements of subsections (a) and (b) of this subdivision and is in possession of a state capitol access control card, the notification required by the this subdivision may be renewed, as necessary and without limit includes the date on which or the range of dates during which the person intends to possess a concealed pistol in the state capitol, provided the range of dates may not extend beyond December thirty-first of each year. The notification required under this subdivision:

(i) Includes the date on which or the range of dates during which the person intends to possess a concealed pistol in the state capitol, provided the range of dates may not extend beyond December thirty-first of each year;

(ii) The notification may be renewed, as necessary and without limit

And that as so amended, said bill do pass.

Respectfully submitted,
Lance Russell, Chair

MR. PRESIDENT:
The Committee on Senate Commerce and Energy respectfully reports that it has had under consideration SB 129 which was tabled.

Respectfully submitted,
Jim Stalzer, Chair

MR. PRESIDENT:
The Committee on Senate Education respectfully reports that it has had under consideration SB 123 and returns the same with the recommendation that said bill be referred to the Committee on Appropriations.

Also MR. PRESIDENT:
The Committee on Senate Education respectfully reports that it has had under consideration HB 1031 and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
R. Blake Curd, Chair

MR. PRESIDENT:
The Committee on Senate Agriculture and Natural Resources respectfully reports that it has had under consideration SB 63 which was deferred to the 41st Legislative Day.

Also MR. PRESIDENT:
The Committee on Senate Agriculture and Natural Resources respectfully reports that it has had under consideration HB 1028 and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
MESSAGES FROM THE HOUSE

Mr. PRESIDENT:

I have the honor to transmit herewith HB 1007, 1025, 1026, 1033, 1051, 1056, 1066, 1084, and 1144 which have passed the House and your favorable consideration is respectfully requested.

Respectfully,

Mary Lou Goehring, Chief Clerk

MOTIONS AND RESOLUTIONS

SCR 601: A CONCURRENT RESOLUTION, Supporting trade negotiations to remove barriers to country of origin labelling.

Was read the second time.

Sen. Cammack moved that SCR 601 as found on page 140 of the Senate Journal be adopted.

The question being on Sen. Cammack's motion that SCR 601 be adopted.

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0


Excused: Foster

So the motion having received an affirmative vote of a majority of the members-elect, the President declared the motion carried and SCR 601 was adopted.

Yesterday, Sen. Rusch announced his intention to reconsider the vote by which SB 26 lost.

Sen. Rusch moved that the Senate do now reconsider the vote by which SB 26 lost.

The question being on Sen. Rusch's motion to reconsider the vote by which SB 26 lost.

And the roll being called:

Yeas 30, Nays 4, Excused 1, Absent 0

Yeas: Blare, Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Brock Greenfield, Heinert, Kennedy, Klumb, Kolbeck, Lake, Langer, Maher, Monroe, Novstrup, Ernie Otten, Partridge, Rusch,
Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, and Youngberg

Nays:
Phil Jensen, Nesiba, Russell, and Wismer

Excused:
Foster

So the motion having received an affirmative vote of a majority of the members-elect, the President declared the motion carried and SB 26 was up for reconsideration and final passage.

Sen. Langer moved that SB 26 be deferred to Monday, February 10, 2020, the 17th legislative day.

Which motion prevailed.

SCR 604: A CONCURRENT RESOLUTION, Recognizing June as Move Over Awareness Month and urging drivers to slow down and move over for stopped vehicles.

Introduced by: Senator Maher

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

The President declared that SCR 604 changed prime sponsor at the request of the prime sponsor.

Prime sponsor has been changed from Sen. Maher to Sen. Wiik.

Sen. Langer moved that SB 92 be deferred to Monday, February 10, 2020, the 17th legislative day.

Which motion prevailed.

Sen. Langer moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on Friday, February 7, 2020, the 16th legislative day.

Which motion prevailed.

CONSIDERATION OF REPORTS OF COMMITTEES

Sen. Langer moved that the reports of the Standing Committees on Local Government on SB 84 as found on page 136 of the Senate Journal; also Local Government on SB 90 as found on page 138 of the Senate Journal be adopted.

Which motion prevailed and the reports were adopted.
CONSIDERATION OF EXECUTIVE APPOINTMENTS

The Senate proceeded to the consideration of the executive appointment of Laurie Gill of Hughes County, Pierre, South Dakota, to the Secretary of the Department of Social Services.

The question being "Does the Senate advise and consent to the executive appointment of Laurie Gill pursuant to the executive message as found on page 81 of the Senate Journal?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Foster

So the question having received an affirmative vote of a majority of the members-elect, the President declared the appointment confirmed.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 162: FOR AN ACT ENTITLED, An Act to provide limitations on the use of lighting equipment while hunting.

Introduced by: Senator Youngberg

SB 163: FOR AN ACT ENTITLED, An Act to establish certain restrictions on the foreign ownership of agricultural land.

Introduced by: Senator Youngberg

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

SB 165: FOR AN ACT ENTITLED, An Act to require all wind energy facilities to include an aircraft detection lighting system.

Introduced by: Senator Steinhauer

SB 181: FOR AN ACT ENTITLED, An Act to revise provisions regarding health benefit plans.

Introduced by: Senator Blare

Were read the first time and referred to the Committee on Commerce and Energy.
SB 166: FOR AN ACT ENTITLED, An Act to provide a transfer of funds for critical teaching needs scholarships.

Introduced by: Senator Novstrup

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

SB 174: FOR AN ACT ENTITLED, An Act to revise the purposes for which a school district's capital outlay fund may be used.

Introduced by: Senator Steinhauer

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

SB 160: FOR AN ACT ENTITLED, An Act to authorize the construction and operation of a nursing home facility in Moody County, South Dakota, and to declare an emergency.

Introduced by: Senator Heinert

SB 173: FOR AN ACT ENTITLED, An Act to establish limitations applicable to initial family assessments.

Introduced by: Senator Phil Jensen

Were read the first time and referred to the Committee of Health and Human Services.

SB 164: FOR AN ACT ENTITLED, An Act to revise the penalties and provisions regarding approaching stopped vehicles.

Introduced by: Senator Wiik

SB 169: FOR AN ACT ENTITLED, An Act to authorize the possession of a concealed pistol by employees in county courthouses.

Introduced by: Senator Russell

SB 172: FOR AN ACT ENTITLED, An Act to revise provisions regarding civil forfeiture.

Introduced by: Senator Rusch

SB 176: FOR AN ACT ENTITLED, An Act to provide for the seizure and holding of real property as evidence.

Introduced by: Senator Kolbeck

Were read the first time and referred to the Committee on Judiciary.
**SB 179**: FOR AN ACT ENTITLED, An Act to revise the legal notice process.

Introduced by: **Senator** Youngberg

**SB 180**: FOR AN ACT ENTITLED, An Act to repeal and revise certain provisions regarding the petition circulation process.

Introduced by: **Senator** Stalzer

**SB 182**: FOR AN ACT ENTITLED, An Act to provide for certain bonds for the construction of courthouses.

Introduced by: **Senator** Wismer

**SB 183**: FOR AN ACT ENTITLED, An Act to revise the signature requirements for the nominating petitions for certain elected offices.

Introduced by: **Senator** Lake

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

**SB 159**: FOR AN ACT ENTITLED, An Act to provide that Native American populations be protected in the legislative redistricting process.

Introduced by: **Senator** Heinert

**SB 171**: FOR AN ACT ENTITLED, An Act to establish term limits for members of the Commission on Uniform Legislation.

Introduced by: **Senator** Bolin

**SB 175**: FOR AN ACT ENTITLED, An Act to accommodate legislation related to meetings and records of rural electric cooperatives.

Introduced by: **Senator** V. J. Smith

**SB 184**: FOR AN ACT ENTITLED, An Act to revise provisions regarding electric service in annexed areas.

Introduced by: **Senator** V. J. Smith

**SJR 503**: A JOINT RESOLUTION, Rescinding House Joint Resolutions calling for a constitutional convention for the sole purpose of changing the Constitution of the United States.

Introduced by: **Senator** Brock Greenfield

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

**SB 161**: FOR AN ACT ENTITLED, An Act to exempt certain real property from the special maintenance fee levy.

Introduced by: **Senator** Klumb
SB 168: FOR AN ACT ENTITLED, An Act to limit the amount of other revenue that is counted as local effort in the state aid to education formula.

Introduced by: Senator Schoenfish

SB 170: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding school district capital outlay funds.

Introduced by: The Committee on Education at the request of the Office of the Governor

SB 178: FOR AN ACT ENTITLED, An Act to increase funding for counties and townships by increasing the excise tax rate on motor fuel.

Introduced by: Senator Wismer

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

SB 167: FOR AN ACT ENTITLED, An Act to revise a provision regarding eligibility for the South Dakota opportunity scholarship.

Introduced by: Senator Bolin

SB 177: FOR AN ACT ENTITLED, An Act to cap increases in the rates of tuition for certain institutions.

Introduced by: Senator Kolbeck

SB 185: FOR AN ACT ENTITLED, An Act to regulate the use of facial recognition technology.

Introduced by: Senator Langer

Was read the first time.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1025: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding plugging and performance bonds for oil and gas wells.

HB 1026: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to use of security for cleanup and remediation of environmental problems.

HB 1033: FOR AN ACT ENTITLED, An Act to provide for the prevention of aquatic invasive species contamination in public waters and to declare an emergency.

HB 1084: FOR AN ACT ENTITLED, An Act to increase the maximum allowable height of certain vehicles carrying baled feed and to declare an emergency.

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

HB 1056: FOR AN ACT ENTITLED, An Act to authorize video monitoring of residents in assisted living centers and nursing facilities.

Was read the first time and referred to the Committee on Health and Human Services.
HB 1051: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding public access to voter registration data.

HB 1144: FOR AN ACT ENTITLED, An Act to remove the requirement for a ballot election in township elections if candidates are unopposed.

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

HB 1007: FOR AN ACT ENTITLED, An Act to require certain adjustments to the assessed value of agricultural land if factors impact the land's productivity and to require those adjustments to be documented.

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

HB 1066: FOR AN ACT ENTITLED, An Act to revise and repeal provisions regarding aviation.

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

SECOND READING OF CONSENT CALENDAR ITEMS

SB 5: FOR AN ACT ENTITLED, An Act to provide immunity for qualified mental health professionals at appropriate regional facilities.

SB 91: FOR AN ACT ENTITLED, An Act to revise provisions regarding the salary for state's attorneys.

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

HB 1019: FOR AN ACT ENTITLED, An Act to revise certain references to the Internal Revenue Code.

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 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 SB 5 and 91, and HB 1010, 1019, 1037, and 1053 pass?"

And the roll being called:

Yeas 33, Nays 0, Excused 2, Absent 0

Yeas:

Excused:
Bolin and Foster
So the bills having received an affirmative vote of a majority of the members-elect, the President declared the bills passed and the titles were agreed to.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 4: FOR AN ACT ENTITLED, An Act to provide for the designation of an appropriate regional facility by the Department of Social Services.

Was read the second time.

The question being "Shall SB 4 pass?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Foster

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

SB 89: FOR AN ACT ENTITLED, An Act to revise provisions regarding victim's rights.

Was read the second time.

The question being "Shall SB 89 pass as amended?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Foster

So the bill having received an affirmative vote of a majority of the members-elect, the President declared the bill passed and the title was agreed to.
SB 61: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding a municipal office nominating petition.

Was read the second time.

The question being "Shall SB 61 pass?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Foster

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

SB 73: FOR AN ACT ENTITLED, An Act to exempt certain persons from the requirement to publish name changes.

Was read the second time.

The question being "Shall SB 73 pass as amended?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Foster

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

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

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

Was read the second time.
The question being "Shall HB 1021 pass?"

And the roll being called:

Yeas 33, Nays 1, Excused 1, Absent 0


Nays: Partridge

Excused: Foster

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

**SIGNING OF BILLS**

The President publicly read the title to HB 1016: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding money transmission.

And signed the same in the presence of the Senate.

Sen. Ewing moved that the Senate do now adjourn, which motion prevailed and at 3:10 p.m. the Senate adjourned.

Kay Johnson, Secretary