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

The prayer was offered by the Chaplain, Rev. Greg Kroger, followed by the Pledge of Allegiance led by House pages Kaytlyn Hilligas and Lydia Hoffman.

Roll Call: All members present except Rep. Deutsch who was 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 eighteenth 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.
REPORTS OF STANDING COMMITTEES

Mr. SPEAKER:

The Committee on Legislative Procedure respectfully reports that HB 1010, 1019, 1021, 1028, 1031, 1037, and 1053 were delivered to her Excellency, the Governor, for her approval at 9:52 a.m., February 12, 2020.

Respectfully submitted,
Steven G. Haugaard, Chair

Also Mr. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared HB 1040, 1055, and 1061 and finds the same correctly enrolled.

Respectfully submitted,
Steven G. Haugaard, Chair

MESSAGES FROM THE SENATE

Mr. SPEAKER:

I have the honor to return herewith HB 1040, 1055, and 1061 which have passed the Senate without change.

Also Mr. SPEAKER:

I have the honor to transmit herewith SB 60 and 97, and SJR 501 which have passed the Senate and your favorable consideration is respectfully requested.

Also Mr. SPEAKER:

I have the honor to transmit herewith SCR 604 which has been adopted by the Senate and your concurrence is respectfully requested.

Respectfully,
Kay Johnson, Secretary

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration HB 1135 which was deferred to the 41st Legislative Day.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration HB 1117 and returns the same with the recommendation that said bill do pass.
Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration SB 62 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,
Lee Qualm, Chair

Also MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration HB 1104 and 1174 and returns the same with the recommendation that said bills do pass.

Also MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration HB 1145 which was deferred to the 41st Legislative Day.

Respectfully submitted,
Lana Greenfield, Chair

Also MR. SPEAKER:

The Committee on House Commerce and Energy respectfully reports that it has had under consideration HB 1073 and returns the same with the recommendation that said bill be amended as follows:

1073A

On page 1, line 9, of the Introduced bill, remove the overstrikes from "pursuant to"

On page 1, line 9, after "to" delete "under"

On page 1, line 14, remove the overstrikes from "pursuant to"

On page 1, line 14, after "to" delete "under"

On page 1, line 19, remove the overstrikes from "pursuant to"

On page 1, line 19, after "to" delete "under"

On page 1, line 23, remove the overstrikes from "pursuant to"

On page 1, line 23, after "to" delete "under"

On page 2, line 2, remove the overstrikes from "pursuant to"

On page 2, line 2, after "to" delete "under"

On page 2, line 5, remove the overstrikes from "pursuant to"

On page 2, line 5, after "to" delete "under"

On page 2, line 9, remove the overstrikes from "pursuant to"

On page 2, line 9, after "to" delete "under"
On page 2, line 13, remove the overstrikes from "pursuant to"

On page 2, line 13, after "to" delete " under"

And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Committee on House Commerce and Energy respectfully reports that it has had under consideration HB 1098 which was deferred to the 41st Legislative Day.

Also MR. SPEAKER:

The Committee on House Commerce and Energy respectfully reports that it has had under consideration SB 54 and returns the same with the recommendation that said bill do pass.

Also MR. SPEAKER:

The Committee on House Commerce and Energy respectfully reports that it has had under consideration SB 8 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,

Tim Rounds, Chair

Also MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration HB 1103, 1109, and 1205 and returns the same with the recommendation that said bills do pass.

Also MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration HB 1009 and 1011 and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration HB 1122 which was deferred to the 41st Legislative Day.

Also MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration HB 1123 and returns the same with the recommendation that said bill be amended as follows:

On page 2, line 5, of the Introduced bill, after "unit " insert "without penalty for early termination "

On page 2, line 25, of the Introduced bill, after "is" insert " not"
On page 2, line 26, of the Introduced bill, after "pay " insert "any otherwise applicable early termination fee or "

And that as so amended, said bill do pass.

Respectfully submitted,
Jon Hansen, Chair

The Speaker has made the following temporary House Appointment: Rep. Ring has been appointed to fill Rep. Saba’s seat on Appropriations for the afternoon subcommittee meeting on February 12, 2020. If Rep. Saba is available for the subcommittee meeting, this temporary appointment is void.

MOTIONS AND RESOLUTIONS

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

Was read the first time and the Speaker waived the committee referral.

Rep. Qualm moved that HCR 6002 be deferred to Tuesday, February 18, 2020, the 21st legislative day and HCR 6009 be deferred to Wednesday, February 19, 2020, the 22nd legislative day.

Which motion prevailed.

HCR 6005: A CONCURRENT RESOLUTION, Commending the nation of Israel for its cordial and mutually beneficial relationship with the United States and with the State of South Dakota.

Having had its second reading was up for consideration and final passage.

Rep. Qualm moved that HCR 6005 as found on page 251 of the House Journal be concurred in.

The question being on Rep. Qualm’s motion that HCR 6005 be adopted.

And the roll being called:

Yeas 53, Nays 16, Excused 1, Absent 0

Yeas:

Nays:
Bordeaux, Borglum, Cwach, Duba, Gross, Healy, Lesmeister, McCleerey, Olson, Pourier, Ring, Saba, Jamie Smith, St. John, Sullivan, and Zikmund

Excused:
Deutsch

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and HCR 6005 was adopted.
Rep. Randolph moved that HCR 6012 be deferred to Thursday, February 13, 2020, the 20th legislative day.

Which motion prevailed.

There being no objection, the House reverted to Order of Business No. 5 - Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

The report of the Committee on House Commerce and Energy as initially presented was incorrect regarding the placement of SB 8 on the consent calendar. The report as it now appears on page 264 of the House Journal correctly identifies the bill’s placement, and such correction was noted.

There being no objection, the House proceeded to Order of Business No. 9 - Consideration of Reports of Committees.

CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Qualm moved that the reports of the Standing Committees on Agriculture and Natural Resources on HB 1112 as found on page 248 of the House Journal; also Local Government on HB 1165 as found on page 249 of the House Journal; and Transportation on HB 1079 as found on page 249 of the House Journal be adopted.

Which motion prevailed.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

The Speaker declared that HB 1234 was withdrawn at the request of the prime sponsor pursuant to Joint Rule 6B-1.1.

Speaker Pro tempore Gosch now presiding.

Rep. Willadsen moved that HB 1204 be referred from the Committee on Education to the Committee on Taxation.

A roll call vote was requested and supported.

And the roll being called:

Yeas 26, Nays 43, Excused 1, Absent 0
Yeas:
Anderson, Bartels, Barthel, Borglum, Chase, Cwach, Dennert, Duba, Duvall, Healy, Hunhoff, Johns, Lesmeister, McCleerey, Milstead, Miskimins, Olson, Herman Otten, Reed, Ring, Rounds, Saba, Jamie Smith, Sullivan, Wangsness, and Willadsen

Nays:

Excused:
Deutsch

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

Speaker Haugaard now presiding.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 60: FOR AN ACT ENTITLED, An Act to adopt the Physical Therapist Licensure Compact.

SB 97: FOR AN ACT ENTITLED, An Act to title vehicles older than thirty years with no existing record.

SJR 501: A JOINT RESOLUTION, Proposing and submitting to the voters an amendment to the Constitution of the State of South Dakota, providing for wagering on sporting events and to revise provisions regarding certain municipal proceeds of gaming revenues.

Were read the first time.

SECOND READING OF CONSENT CALENDAR ITEMS

Speaker removed HB 1014 from the Consent Calendar, pursuant to House Rule 7-1.

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

HB 1116: FOR AN ACT ENTITLED, An Act to revise provisions regarding the use of perpetual care trust funds to maintain cemeteries.

HB 1138: FOR AN ACT ENTITLED, An Act to establish shooting course requirements for current or former law enforcement officers seeking an enhanced permit to carry a concealed pistol.

SB 14: FOR AN ACT ENTITLED, An Act to revise registration requirements for motor vehicles, motorcycles, snowmobiles, trailers, and semitrailers.

SB 15: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the retention of motor vehicle title documents by the Department of Revenue.

Were read the second time.
The question being "Shall HB 1077 and HB 1138 pass as amended, and HB 1116 and SB 14 and 15 pass?"

And the roll being called:

Yeas 69, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Deutsch

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.

There being no objection, the House proceeded to Order of Business No. 14 - Second Reading of Senate Bills and Joint Resolutions.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 50: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the practice of a certified registered nurse anesthetist.

Was read the second time.

Rep. Hunhoff moved that SB 50 be amended as follows:

On page 2, line 6, of the Senate bill, remove the overstrikes from "a physician"

On page 2, line 6, of the Senate bill, after "the" insert ", a dentist, a podiatrist, a certified nurse practitioner, a certified nurse midwife, or a physician assistant when providing anesthesia services.

The certified registered nurse anesthetist shall collaborate with"

On page 2, line 8, of the Senate bill, delete "and " and insert "when engaging in chronic pain practice.

The certified registered nurse anesthetist shall "

On page 2, line 8, of the Senate bill, after "patients" insert the comma

On page 2, line 9, of the Senate bill, delete "For purposes of this section, the" and insert "The"

Which motion prevailed.
The question being "Shall **SB 50** pass as amended?"

And the roll being called:

Yeas 69, Nays 0, Excused 1, Absent 0

Yeas:

Excused:
Deutsch

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.

There being no objection, the House reverted to Order of Business No. 13 - Second Reading of House Bills and Joint Resolutions.

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

Rep. Qualm moved that **HB 1036 and 1173** be deferred to Thursday, February 13, 2020, the 20th legislative day, and **HB 1152 and 1153** be deferred to Tuesday, February 18, 2020, the 21st legislative day.

Which motion prevailed.

**HJR 5001**: A JOINT RESOLUTION, To apply for a convention of states under Article V of the Constitution of the United States to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office for federal officials and members of Congress.

Was read the second time.

The question being "Shall **HJR 5001** pass?"

And the roll being called:

Yeas 32, Nays 37, Excused 1, Absent 0

Yeas:
Anderson, Barthel, Beal, Borglum, Finck, Hansen, Howard, Kevin Jensen, Karr, Koth, Latterell, Livermont, Marty, Mills, Miskimins, Herman Otten, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, St. John, Steele, Wangsness, Weis, Wiese, Willadsen, Zikmund, and Speaker Haugaard

Nays:
Bartels, Bordeaux, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Frye-Mueller, Glanzer, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Healy, Hunhoff, Johns, Chris Johnson, David Johnson, Lesmeister, McCleerey, Milstead, Mulally, Olson, Overweg, Pourier, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, Sullivan, and York
Excused:
Deutsch

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

HB 1131: FOR AN ACT ENTITLED, An Act to prohibit the use of misleading identification for telephonic communications.

Was read the second time.

The question being "Shall HB 1131 pass?"

And the roll being called:

Yeas 62, Nays 0, Excused 8, Absent 0

Yeas:

Excused:
Bartels, Deutsch, Hansen, Hunhoff, Karr, Post, Ring, and Saba

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 1129: FOR AN ACT ENTITLED, An Act to authorize the provision of telecommunications device location information to law enforcement agencies.

Was read the second time.

The question being "Shall HB 1129 pass as amended?"

And the roll being called:

Yeas 53, Nays 9, Excused 8, Absent 0

Yeas:
Anderson, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Finck, Glanzer, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Healy, Howard, Kevin Jensen, David Johnson, Koth, Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pourier, Qualm, Randolph, Rasmussen, Reed, Reimer, Rounds, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:
Dennert, Frye-Mueller, Johns, Chris Johnson, Latterell, Mulally, Olson, Pischke, and Weis

Excused:
Bartels, Deutsch, Hansen, Hunhoff, Karr, Post, Ring, and Saba
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 1107: FOR AN ACT ENTITLED, An Act to define style and form and authorize the code counsel to make certain style and form edits to legislative acts.

Was read the second time.

Rep. Johns moved that the title to HB 1107 be amended as follows:

On page 1, line 1, of the House Judiciary bill, delete "counsel " and insert " commission "

Which motion prevailed.

The question being "Shall HB 1107 pass as amended?"

And the roll being called:

Yeas 62, Nays 0, Excused 8, Absent 0

Yeas:

Excused:
Bartels, Deutsch, Hansen, Hunhoff, Karr, Post, Ring, and Saba

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

HB 1157: FOR AN ACT ENTITLED, An Act to provide for kindergarten enrollment options.

Was read the second time.

The question being "Shall HB 1157 pass as amended?"

And the roll being called:

Yeas 16, Nays 47, Excused 7, Absent 0

Yeas:
Brunner, Finck, Frye-Mueller, Goodwin, Hammock, David Johnson, Livermont, Marty, Mulally, Olson, Sue Peterson, Randolph, Rasmussen, Steele, Wiese, and Speaker Haugaard

Nays:
Anderson, Barthel, Beal, Bordeaux, Borglum, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Glanzer, Gosch, Lana Greenfield, Gross, Hansen, Healy, Howard, Kevin Jensen, Johns, Chris Johnson, Koth, Latterell, Lesmeister, McClure, Mills, Milstead, Miskimins, Herman Otten, Overweg, Perry, Kent Peterson, Pischke, Pourier, Qualm, Reed, Reimer, Rounds, Jamie Smith, St. John, Sullivan, Wangsness, Weis, Willadsen, York, and Zikmund

Excused:
Bartels, Deutsch, Hunhoff, Karr, Post, Ring, and Saba
So the bill not having received an affirmative vote of a majority of the members-elect, the Speaker declared the bill lost.

**SIGNING OF BILLS**

The Speaker publicly read the title to

**HB 1040**: FOR AN ACT ENTITLED, An Act to increase the frequency of background investigations for certain state employees.

**HB 1055**: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the termination of a political committee under certain circumstances.

**HB 1061**: FOR AN ACT ENTITLED, An Act to exempt vehicles owned by improvement districts from certain vehicle registration fees.

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

**SB 30**: FOR AN ACT ENTITLED, An Act to update references to certain federal motor carrier regulations.

And signed the same in the presence of the House.

Rep. Qualm moved that **HB 1069 and 1159** be deferred to Thursday, February 13, 2020, the 20th legislative day.

Rep. Steele moved that the House do now adjourn, which motion prevailed and at 5:07 p.m. the House adjourned.

Mary Lou Goehring, Chief Clerk