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

The prayer was offered by the Chaplain, Rev. Lizette Hunt, followed by the Pledge of Allegiance led by House pages Madison Howard and William Goscicki.

Roll Call: All members present except Reps. Bordeaux, Deutsch, Glanzer, McCleerey, Mulally, and Steele 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 twenty-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.
COMMUNICATIONS AND PETITIONS

February 27, 2020

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on February 27, 2020, I approved House Bills 1007, 1047, 1048, 1059, 1074, 1082, 1086, 1091, 1105, 1106, and 1120, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Kristi Noem
Governor

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared HB 1170, 1178, and 1208 and finds the same correctly enrolled.

Respectfully submitted,
Steven G. Haugaard, Chair

Also Mr. Speaker:

The Committee on Legislative Procedure respectfully reports that HB 1011, 1056, 1079, 1097, 1113, 1114, 1126, 1127, 1164, 1165, and 1260 were delivered to her Excellency, the Governor, for her approval at 11:30 a.m., March 2, 2020.

Respectfully submitted,
Steven G. Haugaard, Chair

Also MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration SB 174 and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration SB 142 and returns the same with the recommendation that said bill be amended as follows:

On page 1, line 11, of the Senate Appropriations bill, after "Education." insert "

If a student receives a failing grade in any course or withdraws from a course after the deadline and does not receive credit for the course, the student may no longer participate in the program. The Board of Regents or Board of Technical Education may reinstate a student who is prohibited from participating in the dual credit program if the student demonstrates good cause for failing a course or withdrawing from a course, or if at the student's expense the student retakes and passes the course that the student withdrew from or failed."
And that as so amended, said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration **SB 167** and returns the same with the recommendation that said bill be amended as follows:

167C

On page 1, line 9, of the Senate bill, delete "test administered by the American College Testing Program" and insert "ACT"

On page 1, line 11, of the Senate bill, delete "Scholastic Assessment Test" and insert "SAT"

On page 1, line 12, of the Senate bill, after "SAT " delete "test "

On page 2, line 18, of the Senate bill, delete "test administered by the American College Testing Program" and insert "ACT"

On page 2, line 22, of the Senate bill, delete "Scholastic Assessment Test" and insert "SAT"

On page 3, line 2, of the Senate bill, delete "Scholastic Aptitude Test" and insert "SAT"

And that as so amended, said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration **SB 170** 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 **SB 186** and returns the same with the recommendation that said bill be amended as follows:

186B

On page 2, line 24, of the Senate State Affairs bill, after "leave" insert " and sick leave"

And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **SB 74, 128, and 147, and SJR 501** and returns the same with the recommendation that said bills and resolution do pass.

Respectfully submitted,

Lee Qualm, Chair
Also MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration **SB 80** and returns the same with the recommendation that said bill do pass.

Also MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration **SB 119** and returns the same with the recommendation that said bill be referred to the Committee on Commerce and Energy.

Also MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration **SB 5, 65, and 176** 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 **SB 148** and returns the same with the recommendation that said bill be amended as follows:

On page 4, line 3, of the Introduced bill, delete "(c) " and insert "(4) "

On page 32, line 16, of the Introduced bill, after "INSTRUCTIONS" delete " (OPTIONAL)"

On page 32, after line 16, of the Introduced bill, insert "(INITIAL if you wish for the agent to have authority immediately and also during your later incapacity. )"

(____) This power of attorney is effective immediately and shall not be affected by disability of the principal."

On page 32, line 20, of the Introduced bill, after "incapacity." insert "

(____) This power of attorney is effective immediately but shall terminate upon my later incapacity."

And that as so amended, said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,

Jon Hansen, Chair

Also MR. SPEAKER:

The Committee on House Commerce and Energy respectfully reports that it has had under consideration **SB 146** 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 162 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

MESSAGES FROM THE SENATE

Mr. SPEAKER:

I have the honor to return herewith HB 1170, 1178, and 1208 which have passed the Senate without change.

Respectfully,
Kay Johnson, Secretary

MOTIONS AND RESOLUTIONS

Rep. Hansen moved that HCR 6020 be deferred to Tuesday, March 3, 2020, the 30th legislative day.

Which motion prevailed.

Rep. Qualm moved that SB 119 be referred from the Committee on Judiciary to the Committee on Commerce and Energy.

Which motion prevailed.

Rep. Qualm moved that SB 98, 120, and 169 be referred from the Committee on Judiciary to the Committee on State Affairs.

Which motion prevailed.

Rep. Qualm moved that SB 16 and 37 be referred from the House Committee on Appropriations to the floor of the House of Representatives.

Which motion prevailed.

HCR 6019: A CONCURRENT RESOLUTION, Urging greater awareness and understanding of post-traumatic stress injury.

Was read the second time.

Rep. Zikmund moved that HCR 6019 as found on page 397 of the House Journal be adopted.

The question being on Rep. Zikmund's motion that HCR 6019 be adopted.
And the roll being called:

Yeas 64, Nays 0, Excused 6, Absent 0

Yeas:

Excused:
Bordeaux, Deutsch, Glanzer, McCleerey, Mulally, and Steele

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and HCR 6019 was adopted.

HCR 6021: A CONCURRENT RESOLUTION, Supporting the continued operation of the D.C. Booth Historic National Fish Hatchery.

Was read the second time.

Rep. Hammock moved that HCR 6021 as found on page 397 of the House Journal be adopted.

The question being on Rep. Hammock's motion that HCR 6021 be adopted.

And the roll being called:

Yeas 64, Nays 0, Excused 6, Absent 0

Yeas:

Excused:
Bordeaux, Deutsch, Glanzer, McCleerey, Mulally, and Steele

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and HCR 6021 was adopted.

HCR 6022: A CONCURRENT RESOLUTION, Urging the State Trade Office in the Governor's Office of Economic Development to promote international business and trade on behalf of South Dakota exporters.

Was read the second time.
Rep. Saba moved that **HCR 6022** as found on page 397 of the House Journal be adopted.

The question being on Rep. Saba’s motion that **HCR 6022** be adopted.

And the roll being called:

Yeas 57, Nays 6, Excused 7, Absent 0

Yeas:
Anderson, Bartels, Barthel, Beal, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Frye-Mueller, Goodwin, Lana Greenfield, Gross, Hammock, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, Karr, Koth, Latterell, Lesmeister, Livermont, Marty, Mills, Milstead, Miskimins, Olson, Herman Otten, Perry, Kent Peterson, Pischke, Pourier, Qualm, Randolph, Rasmussen, Reed, Ring, Rounds, Saba, Jamie Smith, St. John, Sullivan, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:
Finck, Gosch, Overweg, Sue Peterson, Post, and Reimer

Excused:
Bordeaux, Deutsch, Glanzer, David Johnson, McCleerey, Mulally, and Steele

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and **HCR 6022** was adopted.

Speaker Pro tempore Gosch now presiding.

**HCR 6023**: A CONCURRENT RESOLUTION, To encourage the Executive Board of the Legislature to create an interim legislative study to address the mental health of first responders.

Was read the second time.

Rep. Milstead moved that **HCR 6023** as found on page 398 of the House Journal be adopted.

The question being on Rep. Milstead’s motion that **HCR 6023** be adopted.

And the roll being called:

Yeas 59, Nays 3, Excused 8, Absent 0

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

Nays:
Finck, Howard, and Marty

Excused:
Bordeaux, Deutsch, Glanzer, David Johnson, McCleerey, Mulally, Rasmussen, and Steele

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and **HCR 6023** was adopted.
HCR 6024: A CONCURRENT RESOLUTION, Commending automotive enthusiasts in South Dakota and the Specialty Equipment Market Association for their contributions in preserving classic automobiles and urging the Governor to declare a South Dakota Collector Car Appreciation Day this year.

Was read the second time.

Rep. Zikmund moved that HCR 6024 as found on page 416 of the House Journal be adopted.

Rep. Rounds moved that HCR 6024 be amended as follows:

HCR6024A

On page 2, line 1, of the Introduced bill, delete "third " and insert "twenty-seventh ".

On page 2, line 2, of the Introduced bill, delete "November " and insert "August ".

Which motion prevailed.

The question being on Rep. Zikmund's motion that HCR 6024 be adopted as amended.

And the roll being called:

Yeas 55, Nays 8, Excused 7, Absent 0

Yeas:
Anderson, Bartels, Barthel, Beal, Borglum, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Finck, Goodwin, Gosch, Lana Greenfield, Hammock, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Lesmeister, Mills, Milstead, Miskimins, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Pourier, Qualm, Randolph, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Sullivan, Wangsness, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:
Brunner, Frye-Mueller, Gross, Howard, Latterell, Livermont, Marty, and Weis

Excused:
Bordeaux, Deutsch, Glanzer, McCleerey, Mulally, Rasmussen, and Steele

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and HCR 6024 was adopted as amended.

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


The question being on Rep. Borglum's motion that SCR 601 be concurred in as amended.

And the roll being called:

Yeas 60, Nays 3, Excused 7, Absent 0
Yeas:


Nays:

Gross, Post, and Reed

Excused:

Bordeaux, Deutsch, Glanzer, McCleerey, Mulally, Rasmussen, and Steele

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and SCR 601 was concurred in as amended.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 75: FOR AN ACT ENTITLED, An Act to provide for a habitat stamp on hunting and fishing licenses.

Was read the second time.

The question being "Shall SB 75 pass as amended?"

And the roll being called:

Yeas 50, Nays 14, Excused 6, Absent 0

Yeas:

Anderson, Bartels, Barthel, Beal, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Healy, Hunhoff, Johns, David Johnson, Karr, Koth, Lesmeister, Mills, Milstead, Miskimins, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Post, Pourier, Qualm, Rasmussen, Reed, Reimer, Ring, Rounds, Jamie Smith, Sullivan, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:


Excused:

Bordeaux, Deutsch, Glanzer, McCleerey, Mulally, and Steele

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

SB 22: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding pesticide registration, pesticide application, and enforcement of pesticide laws.

Was read the second time.
The question being "Shall SB 22 pass as amended?"

And the roll being called:

Yeas 62, Nays 2, Excused 6, Absent 0

Yeas:

Nays:
Gosch and Sue Peterson

Excused:
Bordeaux, Deutsch, Glanzer, McCleerey, Mulally, and Steele

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.

SIGNING OF BILLS

The Speaker publicly read the title to

HB 1170: FOR AN ACT ENTITLED, An Act to revise provisions regarding the use of certain lights by tow truck vehicles and Department of Transportation authorized vehicles.

HB 1178: FOR AN ACT ENTITLED, An Act to revise the seller's property condition disclosure statement.

HB 1208: FOR AN ACT ENTITLED, An Act to revise provisions regarding the titling of motor vehicles.

SB 52: FOR AN ACT ENTITLED, An Act to create a state seal specialty plate emblem.

And signed the same in the presence of the House.

Rep. Healy moved that the House do now adjourn, which motion prevailed and at 3:48 p.m. the House adjourned.

Mary Lou Goehring, Chief Clerk