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 Brooke Redder.

Roll Call: All members present except Reps. Bordeaux, Deutsch, Glanzer, and Rasmussen 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-ninth 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.
March 2, 2020

Mr. Speaker and Members of the House of the Representatives:

I have the honor to inform you that on March 2, 2020, I approved House Bills 1026, 1041, 1063, 1080, and 1081, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,

Kristi Noem
Governor

Also Mr. SPEAKER:

The Committee on Legislative Procedure respectfully reports that HB 1109 and 1131 were delivered to her Excellency, the Governor, for her approval at 9:40 a.m., March 3, 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 1009, 1012, 1013, 1014, 1025, 1070, 1073, 1095, 1112, 1125, 1175, 1181, and 1257 and finds the same correctly enrolled.

Respectfully submitted,

Steven G. Haugaard, Chair

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration HB 1044, and SB 41, 42, and 43 and returns the same with the recommendation that said bills do pass.

Also MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration HB 1045, which was reconsidered and returns the same with the recommendation that said bill be amended as follows:

1045A

On page 2, line 1, of the Introduced bill, after "The " insert "acquisition, construction, completion, remodeling, maintenance and equipping of the E. Y. Berry Library by the Building Authority being in the public interest, the "

On page 2, line 1, of the Introduced bill, delete " the E. Y. Berry Library project, including the issuance of revenue bonds not to exceed a total of five million four hundred thousand dollars" and insert " up to five million four hundred thousand dollars of the design and construction costs of the E.Y. Berry Library project through the issuance of revenue bonds"
On page 2, after line 7, of the Introduced bill, insert "

**Section 7.** No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state."

On page 2, after line 7, of the Introduced bill, insert "

**Section 8.** The Board of Regents may make and enter into a lease agreement with the Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12, from the higher education facilities fund or any other available funds authorized pursuant to this Act or any other law."

And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration HB 1046 and returns the same with the recommendation that said bill be amended as follows:

On page 1, line 16, of the Introduced bill, after "authority" delete " from donations or other external sources"

On page 2, line 1, of the Introduced bill, after "The " insert "acquisition, construction, completion, remodeling, maintenance and equipping of the Devereaux Library by the Building Authority being in the public interest, the "

On page 2, line 1, of the Introduced bill, delete "the Devereaux Library project, including the issuance of revenue bonds not to exceed four million dollars " and insert "up to four million dollars of the design and construction costs of the Devereaux Library project through the issuance of revenue bonds, "

On page 2, after line 7, of the Introduced bill, insert "

**Section 7.** No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state."

On page 2, after line 7, of the Introduced bill, insert "

**Section 8.** The Board of Regents may make and enter into a lease agreement with the Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12, from the higher education facilities fund or any other available funds authorized pursuant to this Act or any other law."

And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration HB 1227 and returns the same with the recommendation that said bill be amended as follows:

On page 1, line 4, of the Introduced bill, delete " two hundred fifty thousand dollars ($250,000)" and insert " five hundred fifty thousand dollars ($550,000)"
On the previously adopted amendment (1227A), on page 1, line 11, delete "2021 " and insert "2022 ".

And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration SB 40 and returns the same with the recommendation that said bill be amended as follows:

40A

On page 2, line 4, of the Introduced bill, after "The " insert "acquisition, construction, completion, maintenance and equipping of the Allied Health Facility by the Building Authority being in the public interest, the "

On page 2, line 4, of the Introduced bill, delete " the Allied Health Facility, including the issuance of revenue bonds not to exceed a total of twelve million five hundred thousand dollars" and insert " up to twelve million five hundred thousand dollars of the design and construction costs of the Allied Health Facility through the issuance of revenue bonds"

On page 2, after line 25, of the Introduced bill, insert "

Section 10. No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state."

On page 2, after line 25, of the Introduced bill, insert "

Section 11. The Board of Regents may make and enter into a lease agreement with the Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12, from the higher education facilities fund or any other available funds authorized pursuant to this Act or any other law."

40B

On the previously adopted amendment (40A), on page 1, after line 22, insert "

Section 3. The general fund appropriation provided by section 2 of this Act is contingent upon the university obtaining matching funds of four million five hundred thousand dollars ($4,500,000)."

40C

On the previously adopted amendment (40B), on page 1, line 23, after "Act." delete "Section 3. The general fund appropriation provided by section 2 of this Act is contingent upon the university obtaining matching funds of four million five hundred thousand dollars ($4,500,000)."
On the previously adopted amendment (40B), On page 3, after line 10, insert "

Section 12. The general fund appropriation provided by section 2 of this Act is contingent
upon the university obtaining matching funds of four million five hundred thousand dollars
($4,500,000)."

And that as so amended, said bill do pass.

Respectfully submitted,
Chris G. Karr, Chair

Also MR. SPEAKER:

The Committee on House Taxation respectfully reports that it has had under consideration
SB 161 and returns the same with the recommendation that said bill do pass.

Respectfully submitted,
Mark Willadsen, Chair

Also MR. SPEAKER:

The House Committee on Appropriations respectfully reports that it has had under
consideration HB 1186 and 1188 which were tabled.

Also MR. SPEAKER:

The House Committee on Appropriations respectfully reports that it has had under
consideration HB 1187 and returns the same with the recommendation that said bill be amended
as follows:

On page 1, line 1, of the Introduced bill, delete "to revise certain health care programs and
make an appropriation therefor." and insert "make an appropriation to upgrade the state radio
infrastructure system and to declare an emergency."

On the Introduced bill, delete everything after the enacting clause and insert:"

Section 1. There is hereby appropriated from the general fund the sum of five million one
hundred forty-one thousand twenty-one dollars ($5,141,021), or so much thereof as may be
necessary, to the Bureau of Information and Telecommunications, for purposes of upgrading the
state radio infrastructure system.

Section 2. The commissioner of the Bureau of Information and Telecommunications shall
approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this
Act.

Section 3. Any amounts appropriated in this Act not lawfully expended or obligated by June
30, 2024, shall revert in accordance with the procedures prescribed in chapter 4-8.

Section 4. Whereas, this Act is necessary for the support of the state government and its
existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full
force and effect from and after its passage and approval."

And that as so amended, said bill do pass.
Also MR. SPEAKER:

The House Committee on Appropriations respectfully reports that it has had under consideration HB 1189 and returns the same with the recommendation that said bill be amended as follows:

1189A

On page 1, line 1, of the Introduced bill, delete "to revise certain provisions to enhance and promote South Dakota and to make an appropriation therefor." and insert " make an appropriation to expand rural access to broadband services and to declare an emergency."

On the Introduced bill, delete everything after the enacting clause and insert:"

Section 1. There is hereby appropriated from the general fund the sum of five million dollars ($5,000,000), or so much thereof as may be necessary, to the Governor's Office of Economic Development, for purposes of expanding rural access to broadband services throughout South Dakota.

Section 2. The commissioner of the Governor's Office of Economic Development shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Section 3. Any amounts appropriated in this Act not lawfully expended or obligated by June 30, 2021, shall revert in accordance with the procedures prescribed in chapter 4-

Section 4. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

And that as so amended, said bill do pass.

Respectfully submitted,

Chris G. Karr, Chair

Also MR. SPEAKER:

The Committee on House Health and Human Services respectfully reports that it has had under consideration SB 1, 60, and 160 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 Health and Human Services respectfully reports that it has had under consideration SB 2 and returns the same with the recommendation that said bill be referred to the Committee on Appropriations with a do pass recommendation.

Also MR. SPEAKER:

The Committee on House Health and Human Services respectfully reports that it has had under consideration SB 4 and 155 and returns the same with the recommendation that said bills do pass.

Respectfully submitted,

Kevin D. Jensen, Chair
Also MR. SPEAKER:

The Committee on House Agriculture and Natural Resources respectfully reports that it has had under consideration **SB 24 and 150** and returns the same with the recommendation that said bills do pass.

Respectfully submitted,
Thomas J. Brunner, Chair

Also MR. SPEAKER:

The Committee on House Transportation respectfully reports that it has had under consideration **SB 21 and 113** and returns the same with the recommendation that said bills do pass.

Respectfully submitted,
John Mills, Chair

Also MR. SPEAKER:

The Committee on House Transportation respectfully reports that it has had under consideration **SB 97** 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,
John Mills, Chair

Also MR. SPEAKER:

The Committee on House Local Government respectfully reports that it has had under consideration **SB 137 and 183** and returns the same with the recommendation that said bills do pass.

Respectfully submitted,
John Mills, Chair

Also MR. SPEAKER:

The Committee on House Local Government respectfully reports that it has had under consideration **SB 56 and 61** 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 Local Government respectfully reports that it has had under consideration **SB 180** and returns the same with the recommendation that said bill be amended as follows:

**180C**

On page 1, line 13, of the Senate Local Government bill, after "who" insert "simultaneously"

On page 2, line 13, of the Senate Local Government bill, after "registration," delete "occupation,"

On page 3, line 24, of the Senate Local Government bill, after "circulator," delete "and the circulator's circulator identification number"
On page 3, line 26, of the Senate Local Government bill, after "volunteer." insert the quotation mark
And that as so amended, said bill do pass.

Respectfully submitted,
Herman Otten, Chair

Also MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration HB 1233 and returns the same with the recommendation that said bill be amended as follows:

1233A

On page 1, line 5, of the Introduced bill, delete "three hundred sixty thousand dollars ($360,000)" and insert "one dollar ($1)"
And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration SB 17 and returns the same with the recommendation that said bill be amended as follows:

17A

On page 1, line 4, of the Introduced bill, delete "general" and insert "petroleum release compensation"
And that as so amended, said bill do pass.

Respectfully submitted,
Chris G. Karr, Co-Chair

MESSAGES FROM THE SENATE

Mr. SPEAKER:

I have the honor to return herewith HB 1009, 1012, 1013, 1014, 1025, 1070, 1073, 1095, 1112, 1125, 1175, 1181, and 1257 which have passed the Senate without change.

Also Mr. SPEAKER:

I have the honor to inform your honorable body that HB 1174 was lost on second reading and final passage.

Respectfully,
Kay Johnson, Secretary
MOTIONS AND RESOLUTIONS

Rep. Hansen moved that HCR 6020 be deferred to Wednesday, March 4, 2020, the 31st legislative day.

Which motion prevailed.

Rep. Qualm moved that SB 2 be referred from the Committee on Health and Human Services to the House Committee on Appropriations.

Which motion prevailed.

Rep. Qualm moved that SB 128 and 170 be deferred to Wednesday, March 4, 2020, the 31st legislative day.

Which motion prevailed.

CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Qualm moved that the reports of the Standing Committees on Education on SB 142 as found on page 432 and SB 167 as found on page 433 of the House Journal; also State Affairs on SB 186 as found on page 433 of the House Journal; and Judiciary on SB 148 as found on page 434 of the House Journal be adopted.

Which motion prevailed and the reports were adopted.

SECOND READING OF CONSENT CALENDAR ITEMS

Rep. Howard requested that SB 174 be removed from the Consent Calendar.

Which request was granted.

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

SB 65: FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to trusts.

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

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

Were read the second time.

The question being "Shall SB 65, 162, and 176 pass as amended, and SB 5 pass?"
SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 16: FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse certain health care professionals who have complied with the requirements for certain health care recruitment assistance programs and to declare an emergency.

Was read the second time.

The question being "Shall SB 16 pass?"

And the roll being called:

Yeas 65, Nays 1, Excused 4, Absent 0

Yeas:

Nays:
Frye-Mueller

Excused:
Bordeaux, Deutsch, Glanzer, and Rasmussen

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 37: FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to disasters in the state and to declare an emergency.

Was read the second time.

The question being "Shall SB 37 pass?"

And the roll being called:

Yeas 66, Nays 0, Excused 4, Absent 0

Yeas:

Excused:
Bordeaux, Deutsch, Glanzer, and Rasmussen

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 74: FOR AN ACT ENTITLED, An Act to revise provisions regarding legislative candidates.

Was read the second time.

The question being "Shall SB 74 pass?"

And the roll being called:

Yeas 55, Nays 11, Excused 4, Absent 0

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

Nays:

Excused:
Bordeaux, Deutsch, Glanzer, and Rasmussen

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.
SB 147: FOR AN ACT ENTITLED, An Act to prohibit collective bargaining by certain employees
of the Board of Regents.

Was read the second time.

The question being "Shall SB 147 pass?"

And the roll being called:

Yeas 47, Nays 19, Excused 4, Absent 0

Yeas:
Anderson, Bartels, Beal, Borglum, Brunner, Chaffee, Diedrich, Duvall, Finck, Frye-Mueller,
Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Howard, Hunhoff, Kevin Jensen, Chris
Johnson, Karr, Koth, Latterell, Livermont, Marty, Mills, Milstead, Mulally, Olson, Herman Otten,
Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph, Reimer, Rounds, St.
John, Steele, Wangsness, Weis, Willadsen, Zikmund, and Speaker Haugaard

Nays:
Barthel, Chase, Cwach, Dennert, Duba, Healy, Johns, David Johnson, Lesmeister, Mc Cleerey,
Miskimins, Pourier, Reed, Ring, Saba, Jamie Smith, Sullivan, Wiese, and York

Excused:
Bordeaux, Deutsch, Glanzer, and Rasmussen

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.

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.

Was read the second time.

The question being "Shall SJR 501 pass?"

And the roll being called:

Yeas 36, Nays 27, Excused 7, Absent 0

Yeas:
Bartels, Barthel, Beal, Chaffee, Chase, Dennert, Diedrich, Duba, Finck, Frye-Mueller, Goodwin,
Lana Greenfield, Hammock, Healy, Howard, Kevin Jensen, Johns, Chris Johnson, David Johnson,
Karr, Lesmeister, Mc Cleerey, Miskimins, Herman Otten, Kent Peterson, Pischke, Pourier, Reed,
Rounds, Jamie Smith, St. John, Sullivan, Wangsness, Willadsen, York, and Zikmund

Nays:
Anderson, Brunner, Cwach, Duvall, Gosch, Gross, Hansen, Hunhoff, Koth, Latterell, Livermont,
Marty, Mills, Milstead, Mulally, Overweg, Perry, Sue Peterson, Post, Qualm, Randolph, Reimer, Ring,
Saba, Weis, Wiese, and Speaker Haugaard

Excused:
Bordeaux, Borglum, Deutsch, Glanzer, Olson, Rasmussen, and Steele

So the resolution having received an affirmative vote of a majority of the members-elect, the
Speaker declared the resolution passed and the title was agreed to.
SB 80: FOR AN ACT ENTITLED, An Act to revise certain sheriff's fees and costs.

Was read the second time.

The question being "Shall SB 80 pass as amended?"

And the roll being called:

Yeas 60, Nays 3, Excused 7, Absent 0

Yeas:

Nays:
Dennert, Latterell, and Pischke

Excused:
Bordeaux, Borglum, Deutsch, Glanzer, Olson, Rasmussen, 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.

SB 146: FOR AN ACT ENTITLED, An Act to revise provisions related to tribal identification cards.

Was read the second time.

Rep. Chris Johnson moved that SB 146 be amended as follows:

146C

On page 1, line 18, of the Senate Commerce and Energy bill, after "restrictions." insert " This section does not modify any provision of the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives regulations concerning permissible forms of identification for use in the purchase of firearms."

Which motion prevailed.

The question being "Shall SB 146 pass as amended?"

And the roll being called:

Yeas 46, Nays 17, Excused 7, Absent 0

Yeas:
Anderson, Bartels, Barthel, Beal, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Goodwin, Lana Greenfield, Gross, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Latterell, Lesmeister, McCleerey, Miskimins, Herman Otten, Overweg, Perry, Kent
Peterson, Sue Peterson, Pourier, Qualm, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Sullivan, Wangsness, Weis, Wiese, Willadsen, York, and Speaker Haugaard

Nays:
Brunner, Chaffee, Finck, Frye-Mueller, Gosch, Hammock, Karr, Koth, Livermont, Marty, Mills, Milstead, Mulally, Pischke, Post, Randolph, and Zikmund

Excused:
Bordeaux, Borglum, Deutsch, Glanzer, Olson, Rasmussen, 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.

**COMMEMORATIONS**

**HC 8027**: A LEGISLATIVE COMMEMORATION, To honor and commend Dr. Barb Brockevelt for her services to the University of South Dakota and contributions to the State of South Dakota.

Introduced by: Representative Ring

**HC 8028**: A LEGISLATIVE COMMEMORATION, Honoring and commending the annual Tyler Wilcox Memorial Guns n' Hoses Blood Drive for being named the America's Blood Centers' Blood Drive of the Year for 2019.

Introduced by: Representatives Duvall, Anderson, Bartels, Barthel, Chaffee, Duba, Finck, Hunhoff, Mills, Olson, Herman Otten, Perry, Reed, Reimer, and Rounds and Senators Monroe, Nesiba, Novstrup, Schoenbeck, Soholt, and Wilk

Were read the first time.

**SIGNING OF BILLS**

The Speaker publicly read the title to

**HB 1009**: FOR AN ACT ENTITLED, An Act to revise provisions regarding failure to comply with outpatient commitment or treatment orders.

**HB 1012**: FOR AN ACT ENTITLED, An Act to correct technical errors in statutory cross-references.

**HB 1013**: FOR AN ACT ENTITLED, An Act to correct technical errors in statutory cross-references.

**HB 1014**: FOR AN ACT ENTITLED, An Act to place certain substances on the controlled substances schedule and to declare an emergency.

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

**HB 1070**: FOR AN ACT ENTITLED, An Act to modify requirements regarding the installation and inspection of certain electrical wiring.

**HB 1073**: FOR AN ACT ENTITLED, An Act to authorize special event alcohol licenses for full-service restaurant licensees.
HB 1095: FOR AN ACT ENTITLED, An Act to revise requirements regarding hunting mentors.

HB 1112: FOR AN ACT ENTITLED, An Act to authorize the hiring of law enforcement officers by the South Dakota State Brand Board and to declare an emergency.

HB 1125: FOR AN ACT ENTITLED, An Act to revise conditions for selling non-temperature-controlled baked goods without license.

HB 1175: FOR AN ACT ENTITLED, An Act to define dyslexia for the purposes of special education and related services.

HB 1181: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding bounties for coyotes.

HB 1257: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding hunting, fishing, or trapping on private property without permission.

And signed the same in the presence of the House.

Rep. Beal moved that the House do now adjourn, which motion prevailed and at 3:54 p.m. the House adjourned.

Mary Lou Goehring, Chief Clerk