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

The prayer was offered by the Chaplain, Rev. Mercy Hobbs, followed by the Pledge of Allegiance led by House page Katelyn Winberg.

Roll Call: All members present except Reps. Deutsch, Frye-Mueller, and Glanzer 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 thirty-first 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.
HOUSE PAGE RESOLUTION 4     Introduced by: Representatives Anderson; Bartels; Barthel; Beal; Bordeaux; Borglum; Brunner; Chaffee; Chase; Cwach; Dennert; Deutsch; Diedrich; Duba; Duvall; Finck; Frye-Mueller; Glanzer; Goodwin; Gosch; Greenfield, Lana; Gross; Hammock; Hansen; Haugaard; Healy; Howard; Hunhoff; Jensen, Kevin; Johns; Johnson, Chris; Johnson, David; Karr; Koth; Latterell; Lesmeister; Livermont; Marty; McCleerey; Mills; Milstead; Miskimins; Mulally; Olson; Otten, Herman; Overweg; Perry; Peterson, Kent; Peterson, Sue; Pischke; Post; Pourier; Qualm; Randolph; Rasmussen; Reed; Reimer; Ring; Rounds; Saba; Smith, Jamie; St. John; Steele; Sullivan; Wangsness; Weis; Wiese; Willadsen; York; Zikmund.

A RESOLUTION, Expressing the appreciation and gratitude of the House of Representatives of the Ninety-fifth Legislature of the State of South Dakota to Andrea Brandner, Karmin Brunner, Miranda Chaney, Sara DeYoung, Grace Duvall, William Goscicki, Madison Howard, Delaney Peterson, Elle Pieper, Brooke Redder, Emma Rhoades, Haley Wenger, Katelyn Winberg.

WHEREAS, the above named served loyally as pages for the House of Representatives of the Ninety-fifth Legislative Session; and

WHEREAS, the members of the Ninety-fifth House of Representatives express their most sincere appreciation to these young people for their service to the state; and

WHEREAS, the members extend to these young people their wishes for every success in life:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-fifth Legislature of the State of South Dakota, that a personal copy of this resolution be duly certified and furnished to each page on this last day of service.


Which motion prevailed and the resolution was adopted.

COMMUNICATIONS AND PETITIONS

March 4, 2020

Mr. Speaker and Members of the House:

I have the honor to inform you that on March 4, 2020, I approved House Bills 1011, 1056, 1079, 1097, 1109, 1113, 1114, 1126, 1127, 1129, 1131, 1164, 1165, and 1260, 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 HB 1009, 1012, 1013, 1014, 1025, 1070, 1073, 1095, 1112, 1125, 1175, 1181, and 1257 were delivered to her Excellency, the Governor, for her approval at 11:30 a.m., March 5, 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 1094, 1110, 1169, 1179, 1184, and 1255 and finds the same correctly enrolled.

Respectfully submitted,
Steven G. Haugaard, Chair

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration SB 45, 98, and 120 and returns the same with the recommendation that said bills 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 Military and Veterans Affairs respectfully reports that it has had under consideration SB 157, 164, and 169 and returns the same with the recommendation that said bills do pass.

Respectfully submitted,
Larry P. Zikmund, Chair

Also MR. SPEAKER:

The Committee on House Military and Veterans Affairs respectfully reports that it has had under consideration SB 156 and returns the same with the recommendation that said bill do pass.

Respectfully submitted,
Larry P. Zikmund, Chair

Also MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration SB 6 which was deferred to the 41st Legislative Day.

Also MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration SB 47, 71, 73, and 96 and returns the same with the recommendation that said bills do pass.

Respectfully submitted,
Jon Hansen, Chair

Also MR. SPEAKER:

The Committee on House Judiciary respectfully reports that it has had under consideration SB 25, 27, 44, 89, and 136 and returns the same with the recommendation that said bills 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 Health and Human Services respectfully reports that it has had under consideration SB 18 and returns the same with the recommendation that said bill be amended as follows:

On page 6, line 14, of the Senate Health and Human Services bill, delete "thereunder" and insert "under this chapter"

On page 6, line 17, of the Senate Health and Human Services bill, delete "thereunder" and insert "under this chapter"

On page 7, line 18, of the Senate Health and Human Services bill, delete "thereunder" and insert "under this chapter"

On page 9, line 13, of the Senate Health and Human Services bill, delete "thereunder" and insert "under this chapter"

On page 9, line 30, of the Senate Health and Human Services bill, delete "competent" and insert "board-approved"

On page 9, line 30, of the Senate Health and Human Services bill, delete "selected by the board" and insert ", licensed or authorized to practice pursuant to title 36"

On page 9, line 32, of the Senate Health and Human Services bill, delete "the health care provider confirms" and insert "after a hearing in accordance with chapter 1-26 the board finds by clear and convincing evidence"

On page 10, line 1, of the Senate Health and Human Services bill, after "license" delete "until the applicant furnishes proof that the applicant's physical and mental health is sufficient to practice counseling"

On page 15, line 12, of the Senate Health and Human Services bill, delete "either with or without consulting" and insert "in consultation with"

On page 15, line 13, of the Senate Health and Human Services bill, after "board" insert "president"

On page 15, line 17, of the Senate Health and Human Services bill, after "board." delete "If the complaint is not dismissed and a disposition is not agreed upon, the investigator may request that the board set a date for a hearing on the complaint."

On page 15, line 19, of the Senate Health and Human Services bill, after "proceeding" delete "held under the provisions of this chapter"

On page 15, line 26, of the Senate Health and Human Services bill, after "officer," insert "or"

On page 15, line 26, of the Senate Health and Human Services bill, after "agent" delete ", or employee"

On page 16, line 2, of the Senate Health and Human Services bill, after "obtained" insert "by the board"

On page 16, line 6, of the Senate Health and Human Services bill, after "complaint" insert "on behalf of the board"
On page 16, line 11, of the Senate Health and Human Services bill, delete "A license or permit may be suspended, revoked, or canceled if" and insert "For purposes of this chapter, "unprofessional or dishonorable conduct" includes a finding that"

On page 16, line 22, of the Senate Health and Human Services bill, after "holder" delete "is "

On page 16, line 22, of the Senate Health and Human Services bill, after "is" insert ", as"

On page 16, line 23, of the Senate Health and Human Services bill, delete "to be at" and insert ", poses a"

On page 16, line 24, of the Senate Health and Human Services bill, after "licensee" delete ". A majority of the board may demand an examination of the licensee or permit holder at the board's expense. Failure of the licensee or permit holder to submit to the examination is grounds for the immediate suspension of the license or permit"

On page 16, line 30, of the Senate Health and Human Services bill, after "a" insert "materially"

On page 16, line 32, of the Senate Health and Human Services bill, after "a" insert "materially"

On page 16, line 34, of the Senate Health and Human Services bill, delete "thereunder" and insert "under this chapter"

On page 17, line 1, of the Senate Health and Human Services bill, after "holder" delete "has"

On page 17, line 2, of the Senate Health and Human Services bill, delete "thereunder" and insert "under this chapter"

On page 17, line 3, of the Senate Health and Human Services bill, delete "has been found to be in violation of" and insert "violated"

On page 17, line 8, of the Senate Health and Human Services bill, after "have" delete "committed any misconduct as provided in § 36-32-81 or"

On page 17, line 9, of the Senate Health and Human Services bill, after "or" delete "is guilty of gross incompetence or"

On page 17, line 9, of the Senate Health and Human Services bill, after "or" insert "engaged in any"

On page 17, line 10, of the Senate Health and Human Services bill, after "conduct" insert ", as described in § 36-32-83, or violated this chapter or any rule promulgated under this chapter"

On page 17, line 13, of the Senate Health and Human Services bill, after "has" insert "engaged in any unprofessional or dishonorable conduct, as described in § 36-32-83, or"

On page 17, line 14, of the Senate Health and Human Services bill, delete "thereunder" and insert "under this chapter"

On page 19, line 11, of the Senate Health and Human Services bill, delete "thereunder" and insert "under this chapter"

On page 19, line 17, of the Senate Health and Human Services bill, delete "five" and insert "three"

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 Health and Human Services respectfully reports that it has had under consideration **SB 19** and returns the same with the recommendation that said bill be amended as follows:

**On page 3, line 4, of the Introduced bill, delete "thereunder" and insert "under this chapter"**

**On page 3, line 5, of the Introduced bill, delete "thereunder" and insert "under this chapter"**

**On page 3, line 8, of the Introduced bill, delete "thereunder" and insert "under this chapter"**

**On page 4, line 11, of the Introduced bill, delete "thereunder" and insert "under this chapter"**

**On page 4, line 27, of the Introduced bill, delete "competent" and insert "board-approved"**

**On page 4, line 27, of the Introduced bill, delete "selected by the board" and insert ", licensed or authorized to practice pursuant to title 36"**

**On page 4, line 29, of the Introduced bill, delete "the health care provider confirms" and insert ", after a hearing in accordance with chapter 1-26 the board finds by clear and convincing evidence"**

**On page 4, line 31, of the Introduced bill, after "license" delete "until the applicant furnishes proof that the applicant's physical and mental health is sufficient to practice marriage and family therapy"**

**On page 10, line 6, of the Introduced bill, delete "either with or without consulting" and insert ", in consultation with"**

**On page 10, line 7, of the Introduced bill, after "board" insert "president"**

**On page 10, line 11, of the Introduced bill, after "board." delete "If the complaint is not dismissed and a disposition is not agreed upon, the investigator may request that the board set a date for a hearing on the complaint."**

**On page 10, line 13, of the Introduced bill, after "proceeding" delete "held under the provisions of this chapter"**

**On page 10, line 20, of the Introduced bill, after "officer," insert "or "**

**On page 10, line 20, of the Introduced bill, after "agent" delete ", or employee"**

**On page 10, line 26, of the Introduced bill, after "obtained" insert "by the board"**

**On page 10, line 30, of the Introduced bill, after "complaint" insert "on behalf of the board"**

**On page 11, line 3, of the Introduced bill, delete "The license of a marriage and family therapist may be suspended, revoked, or canceled if" and insert "For purposes of this chapter, "unprofessional or dishonorable conduct" includes a finding that"**

**On page 11, line 5, of the Introduced bill, after "is" delete "found to be"**

**On page 11, line 16, of the Introduced bill, delete "is" and insert ", as "**

**On page 11, line 17, of the Introduced bill, delete "to be at" and insert ", poses a"**
On page 11, line 18, of the Introduced bill, after "licensee" delete ". A majority of the board may demand an examination of the licensee at the board's expense. Failure of the licensee to submit to the examination is grounds for the immediate suspension of the license"

On page 11, line 23, of the Introduced bill, after "a" insert "materially"

On page 11, line 25, of the Introduced bill, after "a" insert "materially"

On page 11, line 26, of the Introduced bill, delete "thereunder" and insert "under this chapter"

On page 11, line 27, of the Introduced bill, after "licensee" delete "has"

On page 11, line 28, of the Introduced bill, delete "has been found to be in violation of" and insert "violated"

On page 11, line 33, of the Introduced bill, after "have" delete "committed any misconduct as provided in § 36-33-61 or is guilty of gross incompetence or"

On page 12, line 1, of the Introduced bill, after "or" insert "engaged in any"

On page 12, line 2, of the Introduced bill, after "conduct" insert ", as described in § 36-33-61, or violated this chapter or any rule promulgated under this chapter"

On page 12, line 5, of the Introduced bill, after "has" insert "engaged in any unprofessional or dishonorable conduct, as described in § 36-33-61, or"

On page 12, line 6, of the Introduced bill, delete "thereunder" and insert "under this chapter"

On page 13, line 30, of the Introduced bill, delete "thereunder" and insert "under this chapter"

On page 14, line 5, of the Introduced bill, delete "five" and insert "three"

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 Health and Human Services respectfully reports that it has had under consideration SB 20 and 81 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 46 and 139 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 Local Government respectfully reports that it has had under consideration **SB 84** and returns the same with the recommendation that said bill be amended as follows:

84C

On page 3, line 26, of the Senate Local Government bill, after "person" delete "who has a disability training their own service animal or a person"

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 Local Government respectfully reports that it has had under consideration **SB 91** and **135** 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 104** which was deferred to the 41st Legislative Day.

Respectfully submitted,

Herman Otten, Chair

Also MR. SPEAKER:

The House Committee on Appropriations respectfully reports that it has had under consideration **SB 2** and **36** and returns the same with the recommendation that said bills do pass.

Also MR. SPEAKER:

The House Committee on Appropriations respectfully reports that it has had under consideration **SB 55** and returns the same with the recommendation that said bill be amended as follows:

55E

On page 1, line 10, of the Senate Appropriations bill, after "Dakota. " insert "The membership of the task force shall include four members of the Joint Committee on Appropriations appointed by the Joint Committee on Appropriations."

On page 1, line 13, of the Senate Appropriations bill, delete "Executive Board of the Legislative Research Council" and insert "Joint Committee on Appropriations"

55G

On page 1, line 1, of the Senate Appropriations bill, delete "possibility of shared administration among" and insert "operations and functions of"

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 SB 144 and returns the same with the recommendation that said bill be amended as follows:

144D

On page 1, line 21, of the Senate bill, delete "thirty-three and three tenths" and insert "fifty"

On page 1, line 23, of the Senate bill, delete "sixty-six and seven tenths" and insert "fifty"

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 SB 166 which was tabled.

Respectfully submitted,
Chris G. Karr, Chair

Also MR. SPEAKER:

The Committee on House Transportation respectfully reports that it has had under consideration SB 70 and returns the same with the recommendation that said bill be amended as follows:

70B

On page 2, line 3, of the Senate Transportation bill, delete "3" and insert "2"

And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Committee on House Transportation respectfully reports that it has had under consideration SB 149 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

MESSAGES FROM THE SENATE

Mr. SPEAKER:

I have the honor to inform your honorable body that the Senate has concurred in House amendments to SB 75.

Also Mr. SPEAKER:

I have the honor to return herewith HCR 6004, 6011, and 6014 in which the Senate has concurred.
Also Mr. SPEAKER:

I have the honor to return herewith HB 1094, 1110, 1169, 1179, 1184, and 1255 which have passed the Senate without change.

Also Mr. SPEAKER:

I have the honor to return herewith HB 1054, 1065, and 1166, and HCR 6003, 6005, and 6012 which have been amended by the Senate and your concurrence in the amendments is respectfully requested.

Also Mr. SPEAKER:

I have the honor to transmit herewith SB 17 and 40 which have passed the Senate and your favorable consideration is respectfully requested.

Respectfully,
Kay Johnson, Secretary

MOTIONS AND RESOLUTIONS

Rep. Pourier moved that the Committee on Education be instructed to deliver SB 66 to the floor of the House, pursuant to Joint Rule 7-7.

Rep. Rounds rose to a point of order that discussion be addressed to the motion.

The question being on Rep. Pourier’s motion that the Committee on Education be instructed to deliver SB 66 to the floor of the House, pursuant to Joint Rule 7-7.

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

SCR 603: A CONCURRENT RESOLUTION, Recognizing the importance of gun safety.

Was read the second time.

Rep. Bordeaux moved that SCR 603 as found on page 465 of the House Journal be concurred in as amended.

Rep. Duba moved that SCR 603 be amended as follows:

On page 1, line 2, of the Senate bill, after "safety." insert "WHEREAS, public safety is paramount, it is desirable for citizens of the state of South Dakota to reduce gun deaths and at the same time to fully respect the freedoms guaranteed by the Second Amendment of the United States Constitution; and"
On page 2, line 7, of the Senate bill, delete "WHEREAS, gun control supporters are calling for gun manufacturers to be subjected to consumer product regulations that are designed to result in the banning of handguns and other weapons;" and insert "WHEREAS, in 2017, more South Dakotans died due to firearms (101 deaths) than by drug overdoses (73 deaths)\(^1\); and

WHEREAS, according to the most recent data from the Centers for Disease Control and Prevention, South Dakota had the 6th highest rate of suicide in the United States\(^2\); and

WHEREAS, sixty-four percent of South Dakota veteran suicides in 2015 were by firearm\(^3\):"

On page 2, line 14, of the Senate bill, after "realized." insert " REFERENCES


Which motion lost.

The question being on Rep. Bordeaux's motion that SCR 603 be concurred in as amended.

And the roll being called:

Yea 52, Nays 14, Excused 4, Absent 0

Yea:

Anderson, Bartels, Barthel, Beal, Borglum, Brunner, Chaffee, Chase, Dennert, Diedrich, Duvall, Finck, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Latterell, Livermont, Marty, Mills, Miskimins, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Rounds, St. John, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nay:

Bordeaux, Cwach, Duba, Healy, Koth, McCleerey, Milstead, Mulally, Pourier, Ring, Saba, Jamie Smith, Steele, and Sullivan

Excused:

Deutsch, Frye-Mueller, Glanzer, and Lesmeister

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and SCR 603 was concurred in as amended.
CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Qualm moved that the report of the Standing Committee on Commerce and Energy on SB 140 and SB 151 as found on page 459 of the House Journal be adopted.

Which motion prevailed and the report was adopted.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 17: FOR AN ACT ENTITLED, An Act to make an appropriation for the plugging and surface reclamation of natural gas wells and to declare an emergency.

SB 40: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the construction of an Allied Health Facility and the demolition of Julian Hall and the Julian Hall Addition to the University of South Dakota, to make an appropriation therefor, and to declare an emergency.

Were read the first time and the Speaker waived the committee referral pursuant to Joint Rule 6D-1.

SECOND READING OF CONSENT CALENDAR ITEMS

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

Was read the second time.

The question being "Shall SB 181 pass as amended?"

And the roll being called:

Yeas 66, Nays 0, Excused 4, Absent 0

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

Excused:
Deutsch, Frye-Mueller, Glanzer, and Lesmeister

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.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 1: FOR AN ACT ENTITLED, An Act to provide for the use of electronic communication in the involuntary commitment process and to declare an emergency.

Was read the second time.
The question being "Shall SB 1 pass?"

And the roll being called:

Yea 66, Nays 0, Excused 4, Absent 0

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

Excused:
- Deutsch, Frye-Mueller, Glanzer, and Gosch

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 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.

Was read the second time.

The question being "Shall SB 160 pass?"

And the roll being called:

Yea 65, Nays 2, Excused 3, Absent 0

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

Nays:
- Howard and Pischke

Excused:
- Deutsch, Frye-Mueller, and Glanzer

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.
There being no objection, the House reverted to Order of Business No. 8 - Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Rep. Jamie Smith moved that SB 97 be placed to follow SB 119 on today's calendar.

Which motion prevailed.

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 128: FOR AN ACT ENTITLED, An Act to revise entities who may contribute to a political committee.

Was read the second time.

The question being "Shall SB 128 pass as amended?"

And the roll being called:

Yeas 47, Nays 20, Excused 3, Absent 0

Yeas:
Anderson, Bartels, Barthel, Bordeaux, Borglum, Brunner, Chase, Cwach, Diedrich, Duba, Duvall, Goodwin, Gross, Hammock, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, David Johnson, Koth, Lesmeister, McCleerey, Mills, Miskimins, Olson, Herman Otten, Kent Peterson, Sue Peterson, Post, Pourier, Qualm, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Sullivan, Wangsness, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:
Beal, Chaffee, Dennert, Finck, Gosch, Lana Greenfield, Howard, Chris Johnson, Karr, Latterell, Livermont, Marty, Milstead, Mulally, Overweg, Perry, Pischke, Randolph, Steele, and Weis

Excused:
Deutsch, Frye-Mueller, and Glanzer

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 186: FOR AN ACT ENTITLED, An Act to revise certain leave policies for state employees.

Was read the second time.
The question being "Shall SB 186 pass as amended?"
And the roll being called:
Yeas 52, Nays 14, Excused 4, Absent 0

Yeas:
Anderson, Bartels, Barthel, Bordeaux, Borglum, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Finck, Lana Greenfield, Gross, Hammock, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Chris Johnson, David Johnson, Karr, Koth, Lesmeister, McCleerey, Mills, Miskimins, Olson, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Pourier, Qualm, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, St. John, Steele, Sullivan, Wangsness, Weis, Willadsen, York, and Zikmund

Nays:
Beal, Brunner, Goodwin, Gosch, Johns, Latterell, Livermont, Marty, Milstead, Mulally, Herman Otten, Randolph, Wiese, and Speaker Haugaard

Excused:
Deutsch, Frye-Mueller, Glanzer, and Jamie Smith

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

Was read the second time.

The question being "Shall SB 161 pass?"
And the roll being called:
Yeas 60, Nays 6, Excused 4, Absent 0

Yeas:
Anderson, Barthel, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Finck, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, David Johnson, Karr, Koth, Latterell, Lesmeister, Livermont, Marty, McCleerey, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Pourier, Qualm, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, St. John, Steele, Sullivan, Wangsness, Weis, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:
Bartels, Beal, Chris Johnson, Mills, Randolph, and Wiese

Excused:
Deutsch, Frye-Mueller, Glanzer, and Jamie Smith

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 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 65, Nays 1, Excused 4, Absent 0

Yeas:
Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Finck, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Latterell, Lesmeister, Livermont, Marty, Mc Cleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Post, Pourier, Qualm, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, St. John, Steele, Sullivan, Wangness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:
Pischke

Excused:
Deutsch, Frye-Mueller, Glanzer, and Jamie Smith

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 155: FOR AN ACT ENTITLED, An Act to provide for step therapy protocol regarding certain prescription drugs.

Was read the second time.

The question being "Shall SB 155 pass as amended?"

And the roll being called:

Yeas 66, Nays 0, Excused 4, Absent 0

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

Excused:
Deutsch, Frye-Mueller, Glanzer, and Jamie Smith

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 24: FOR AN ACT ENTITLED, An Act to revise the fees for pesticide registration, private applicator licenses, commercial applicator licenses, and pesticide dealer licenses.

Was read the second time.
The question being "Shall SB 24 pass as amended?"

And the roll being called:

Yeas 59, Nays 6, Excused 5, Absent 0

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

Nays:
Chase, Duvall, Howard, David Johnson, Mulally, and Pischke

Excused:
Deutsch, Frye-Mueller, Glanzer, Saba, and Jamie Smith

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 150: FOR AN ACT ENTITLED, An Act to revise nonresident waterfowl licensure.

Was read the second time.

The question being "Shall SB 150 pass as amended?"

And the roll being called:

Yeas 46, Nays 19, Excused 5, Absent 0

Yeas:
Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Finck, Goodwin, Gosch, Lana Greenfield, Gross, Healy, Johns, Chris Johnson, David Johnson, Koth, Lesmeister, Livermont, Marty, McCleerey, Mills, Mulally, Olson, Overweg, Perry, Kent Peterson, Sue Peterson, Post, Pourier, Qualm, Randolph, Rasmussen, Reimer, Ring, Steele, Sullivan, Wangsness, Wiese, Zikmund, and Speaker Haugaard

Nays:
Beal, Duvall, Hammock, Hansen, Howard, Hunhoff, Kevin Jensen, Karr, Latterell, Milstead, Miskimins, Herman Otten, Pischke, Reed, Rounds, St. John, Weis, Willadsen, and York

Excused:
Deutsch, Frye-Mueller, Glanzer, Saba, and Jamie Smith

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 21: FOR AN ACT ENTITLED, An Act to authorize temporary variable speed limits on state highways under certain circumstances.

Was read the second time.
The question being "Shall SB 21 pass?"
And the roll being called:
Yeas 55, Nays 10, Excused 5, Absent 0

Yeas:

Nays:
Beal, Kevin Jensen, Chris Johnson, Karr, Mulally, Herman Otten, Overweg, Pischke, Post, and Qualm

Excused:
Deutsch, Frye-Mueller, Glanzer, Saba, and Jamie Smith

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 113: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding instruction permits and restricted minor's driving permits.

Was read the second time.

The question being "Shall SB 113 pass as amended?"
And the roll being called:
Yeas 42, Nays 22, Excused 6, Absent 0

Yeas:
Anderson, Bartels, Barthel, Bordeaux, Borglum, Chaffee, Chase, Cwach, Diedrich, Duba, Duvall, Finck, Goodwin, Lana Greenfield, Gross, Hammock, Healy, Hunhoff, Kevin Jensen, Johns, David Johnson, Koth, Lesmeister, McCleerey, Milstead, Miskimins, Olson, Kent Peterson, Sue Peterson, Pourier, Rasmussen, Reed, Ring, Rounds, St. John, Steele, Sullivan, Wangsness, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:
Beal, Brunner, Dennert, Hansen, Howard, Chris Johnson, Karr, Latterell, Livermont, Marty, Mills, Mulally, Herman Otten, Overweg, Perry, Pischke, Post, Qualm, Randolph, Reimer, Weis, and Wiese

Excused:
Deutsch, Frye-Mueller, Glanzer, Gosch, Saba, and Jamie Smith

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 137: FOR AN ACT ENTITLED, An Act to revise provisions for repair, replacement, and construction of sidewalks within a municipality.

Was read the second time.

The question being "Shall SB 137 pass as amended?"

And the roll being called:

Yeas 50, Nays 13, Excused 7, Absent 0

Yeas:
Anderson, Bartels, Barthel, Beal, Bordeau, Borglum, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Finck, Goodwin, Gross, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, David Johnson, Karr, Koth, Lesmeister, McCleerey, Mills, Milstead, Miskimins, Olson, Herman Otten, Overweg, Kent Peterson, Post, Pourier, Qualm, Rasmussen, Reed, Reimer, Ring, Rounds, St. John, Steele, Sullivan, Wangsness, Wiese, Willadsen, York, and Zikmund

Nays:
Brunner, Hammock, Chris Johnson, Latterell, Livermont, Marty, Mulally, Perry, Sue Peterson, Pischke, Randolph, Weis, and Speaker Haugaard

Excused:
Deutsch, Frye-Mueller, Glanzer, Gosch, Lana Greenfield, Saba, and Jamie Smith

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

Was read the second time.

The question being "Shall SB 183 pass as amended?"

And the roll being called:

Yeas 62, Nays 1, Excused 7, Absent 0

Yeas:

Nays:
Randolph

Excused:
Deutsch, Frye-Mueller, Glanzer, Gosch, Lana Greenfield, Saba, and Jamie Smith

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.
Rep. Qualm moved that the balance of the calendar including SB 26, 33, 35, 39, 41, 42, 43, 97, 119, and 180 be deferred to Monday, March 9, 2020, the 33rd legislative day.

Which motion prevailed.

SIGNING OF BILLS

The Speaker publicly read the title to

HB 1094: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding permits for concealed pistols.

HB 1110: FOR AN ACT ENTITLED, An Act to provide for a uniform template to be used by each state agency in the conduct of performance management reviews.

HB 1169: FOR AN ACT ENTITLED, An Act to prohibit the use of certain electronic devices while driving.

HB 1179: FOR AN ACT ENTITLED, An Act to authorize series limited liability companies.

HB 1184: FOR AN ACT ENTITLED, An Act to provide limited deer and antelope licenses to landowners.

HB 1255: FOR AN ACT ENTITLED, An Act to remove the requirement for a mandatory appraisal in exchanges of land between school districts.

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

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.

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.

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

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

SB 80: FOR AN ACT ENTITLED, An Act to revise certain sheriff’s fees and costs.

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

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.

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.

And signed the same in the presence of the House.
COMMEMORATIONS

HC 8029: A LEGISLATIVE COMMEMORATION, Celebrating the LGBTQ+ and Two Spirit Community of South Dakota.

Introduced by: Representatives Sullivan, Bordeaux, Duba, and Healy and Senators Nesiba and V. J. Smith

HC 8030: A LEGISLATIVE COMMEMORATION, Honoring and commending Bob and Jan Fuller for their dedicated services as foster parents in the Pierre community.

Introduced by: Representatives Rounds, Bartels, Bordeaux, Duba, Duvall, Finck, Hunhoff, and Perry and Senators Monroe, Nesiba, Novstrup, and Soholt

HC 8031: A LEGISLATIVE COMMEMORATION, Celebrating and commending Rushmore National Music Camp for fifty years of outstanding commitment to giving students across the state the ability to stay true to its motto: Making Music . . . Making Friends!

Introduced by: Representatives Finck, Bordeaux, and Duvall and Senators Nesiba and Wiik

HC 8032: A LEGISLATIVE COMMEMORATION, Honoring Dennis Jerome Spotted Tail, Sr., for his admirable service to the United States Army and 82nd Airborne Division.

Introduced by: Representative Jamie Smith and Senator Heinert

HC 8033: A LEGISLATIVE COMMEMORATION, Commending and honoring Jason Hancock for his outstanding service to the South Dakota Legislature.

Introduced by: Representatives Haugaard, Anderson, Bartels, Beal, Bordeaux, Brunner, Dennert, Diedrich, Duba, Duvall, Finck, Gosch, Lana Greenfield, Gross, Kevin Jensen, Chris Johnson, Mills, Mulally, Herman Otten, Perry, Kent Peterson, Post, Randolph, Reed, Rounds, Wangsness, and Weis and Senators Bolin, Ewing, Monroe, Nesiba, Schoenbeck, Soholt, and Stalzer

Were read the first time.

Speaker Haugaard ordered that when we adjourn today, we adjourn to convene at 11:00 a.m., Monday, March 9, 2020, the 33rd legislative day.

Which motion prevailed.

Rep. Steele moved that the House do now adjourn, which motion prevailed and at 4:48 p.m. the House adjourned.

Mary Lou Goehring, Chief Clerk