

JOURNAL OF THE HOUSE

NINETY-FIFTH SESSION

THIRTY-THIRD DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Monday, March 09, 2020

The House convened at 11:00 a.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 pages Sydney Berens and Danika Gordon.

Roll Call: All members present except Reps. Deutsch, Glanzer, and Pourier 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-second day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Which motion prevailed.

Respectfully submitted,
Steven G. Haugaard, Chair

1 The oath of office was administered by Speaker Haugaard to the following named pages:

2 Sydney Berens, Paige Bradley, Paityn DeBoer, Danika Gordon, Jessica Kott, Bethany Larson,
3 and Amanda Lee.

4 Which was subscribed to and placed on file in the office of the Secretary of State.

5 **REPORTS OF STANDING COMMITTEES**

6 Mr. SPEAKER:

7 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
8 Enrolling has carefully compared **HB 1069, 1077, 1089, 1103, 1108, 1117, 1123, 1138, 1154,**
9 **1259, and 1264** and finds the same correctly enrolled.

10 Respectfully submitted,
11 Steven G. Haugaard, Chair

12 Also Mr. SPEAKER:

13 The Committee on Legislative Procedure respectfully reports that **HB 1124, 1182, 1242,**
14 **1244, and 1279** were delivered to her Excellency, the Governor, for her approval at 8:25 a.m.,
15 March 9, 2020.

16 Respectfully submitted,
17 Steven G. Haugaard, Chair

18 **MESSAGES FROM THE SENATE**

19 Mr. SPEAKER:

20 I have the honor to return herewith **HB 1069, 1077, 1089, 1103, 1108, 1117, 1123, 1138,**
21 **1154, 1259, and 1264** which have passed the Senate without change.

22 Also Mr. SPEAKER:

23 I have the honor to inform your honorable body that **HCR 6015** was tabled.

24 Also Mr. SPEAKER:

25 I have the honor to return herewith **HCR 6016 and 6017** in which Senate has concurred.

26 Also Mr. SPEAKER:

27 I have the honor to inform your honorable body that the Senate has concurred in House
28 amendments to **SB 146**.

1 Also Mr. SPEAKER:

2 I have the honor to return herewith **HB 1067, 1068, and 1195** which have been amended
3 by the Senate and your concurrence in the amendments is respectfully requested.

4 Also Mr. SPEAKER:

5 I have the honor to inform your honorable body that **HB 1107** was lost on second reading and
6 final passage.

7 Respectfully,
8 Kay Johnson, Secretary

9 **MOTIONS AND RESOLUTIONS**

10 Rep. Herman Otten moved that the House do concur in Senate amendments to **HB 1054**.

11 Rep. Frye-Mueller made a substitute motion that the House do not concur in Senate
12 amendments to **HB 1054** and that a committee of three on the part of the House be appointed to
13 meet with a like committee on the part of the Senate to adjust the differences between the two
14 houses.

15 Rep. Rounds rose to a point of order questioning if Rep. Frye-Mueller was speaking to the
16 substitute motion.

17 The question being on Rep. Frye-Mueller's motion that the House do not concur in Senate
18 amendments to **HB 1054** and that a committee of three on the part of the House be appointed to
19 meet with a like committee on the part of the Senate to adjust the differences between the two
20 houses.

21 And the roll being called:

22 Yeas 44, Nays 22, Excused 4, Absent 0

23 Yeas:

24 Borglum, Brunner, Dennert, Diedrich, Finck, Frye-Mueller, Goodwin, Gosch, Lana Greenfield,
25 Gross, Hammock, Hansen, Howard, Hunhoff, Johns, Chris Johnson, David Johnson, Karr, Koth,
26 Latterell, Livermont, Marty, Mills, Milstead, Miskimins, Mulally, Olson, Overweg, Perry, Sue Peterson,
27 Pischke, Post, Randolph, Rasmussen, Reimer, Rounds, St. John, Steele, Wangsness, Weis, Wiese,
28 Willadsen, York, and Speaker Haugaard

29 Nays:

30 Anderson, Bartels, Barthel, Beal, Bordeaux, Chaffee, Chase, Cwach, Duba, Duvall, Healy,
31 Lesmeister, McCleerey, Herman Otten, Kent Peterson, Qualm, Reed, Ring, Saba, Jamie Smith,
32 Sullivan, and Zikmund

33 Excused:

34 Deutsch, Glanzer, Kevin Jensen, and Pourier

35 So the motion having received an affirmative vote of a majority of the members-elect, the
36 Speaker declared the motion prevailed and the Speaker appointed as such committee Reps. Otten,
37 Frye-Mueller, and Saba.

1 Rep. Qualm moved that House do now recess until 1:00 p.m.

2 Which motion prevailed and at 11:50 a.m., the House recessed.

3 **RECESS**

4 The House reconvened at 1:11 p.m., the Speaker presiding.

5 **MOTIONS AND RESOLUTIONS**

6 Rep. David Johnson moved that the House do concur in Senate amendments to **HB 1065**.

7 The question being on Rep. David Johnson's motion that the House do concur in Senate
8 amendments to **HB 1065**.

9 And the roll being called:

10 Yeas 66, Nays 1, Excused 3, Absent 0

11 Yeas:

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

19 Nays:

20 Pischke

21 Excused:

22 Deutsch, Glanzer, and Pourier

23 So the motion having received an affirmative vote of a majority of the members-elect, the
24 Speaker declared the motion carried and the amendments were concurred in.

25 Rep. Anderson moved that the House do concur in Senate amendments to **HB 1166**.

26 The question being on Rep. Anderson's motion that the House do concur in Senate
27 amendments to **HB 1166**.

28 And the roll being called:

29 Yeas 63, Nays 3, Excused 4, Absent 0

30 Yeas:

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

1 Nays:
2 Frye-Mueller, Livermont, and Mulally

3 Excused:
4 Deutsch, Glanzer, Lesmeister, and Pourier

5 So the motion having received an affirmative vote of a two-thirds majority of the members-
6 elect, the Speaker declared the motion carried and the amendments were concurred in.

7 Rep. Mulally moved that the House do concur in Senate amendments to **HCR 6003**.

8 The question being on Rep. Mulally's motion that the House do concur in Senate amendments
9 to **HCR 6003**.

10 And the roll being called:

11 Yeas 66, Nays 0, Excused 4, Absent 0

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

20 Excused:
21 Deutsch, Glanzer, Lesmeister, and Pourier

22 So the motion having received an affirmative vote of a majority of the members-elect, the
23 Speaker declared the motion carried and the amendments were concurred in.

24 Rep. Qualm moved that the House do concur in Senate amendments to **HCR 6005**.

25 The question being on Rep. Qualm's motion that the House do concur in Senate amendments
26 to **HCR 6005**.

27 And the roll being called:

28 Yeas 58, Nays 8, Excused 4, Absent 0

29 Yeas:
30 Anderson, Bartels, Barthel, Beal, Borglum, Brunner, Chaffee, Chase, Dennert, Diedrich, Duba,
31 Duvall, Finck, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Hammock, Hansen, Healy, Howard,
32 Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Latterell, Livermont,
33 McCleerey, Mills, Milstead, Miskimins, Mulally, Herman Otten, Overweg, Perry, Kent Peterson, Sue
34 Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Rounds, Jamie Smith, Steele,
35 Sullivan, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

36 Nays:
37 Bordeaux, Cwach, Gross, Marty, Olson, Ring, Saba, and St. John

38 Excused:
39 Deutsch, Glanzer, Lesmeister, and Pourier

40 So the motion having received an affirmative vote of a majority of the members-elect, the
41 Speaker declared the motion carried and the amendments were concurred in.

1 Rep. Randolph moved that the House do not concur in Senate amendments to **HCR 6012** and
2 that a committee of three on the part of the House be appointed to meet with a like committee on
3 the part of the Senate to adjust the differences between the two houses.

4 Which motion prevailed and the Speaker appointed as such committee Reps. Randolph,
5 Rasmussen, and Lesmeister.

6 **CONSIDERATION OF REPORTS OF COMMITTEES**

7 Rep. Qualm moved that the reports of the Standing Committees on
8 Health and Human Services on **SB 18** as found on page 478 and **SB 19** as found on page 480
9 of the House Journal; also

10 Local Government on **SB 84** as found on page 482 of the House Journal; also

11 House Appropriations on **SB 55** as found on page 482 of the House Journal and **SB 144** as
12 found on page 483 of the House Journal; and

13 Transportation on **SB 70** as found on page 483 of the House Journal be adopted.

14 Which motion prevailed and the reports were adopted.

15 **SECOND READING OF CONSENT CALENDAR ITEMS**

16 Rep. Mulally requested that **SB 136** be removed from the Consent Calendar.

17 Rep. Howard requested that **SB 20** be removed from the Consent Calendar.

18 Rep. Frye-Mueller requested that **SB 84** be removed from the Consent Calendar.

19 Rep. Pischke requested that **SB 18, 19, and 135** be removed from the Consent Calendar.

20 Which requests were granted.

21 **SB 25:** FOR AN ACT ENTITLED, An Act to establish certain requirements to maintain state
22 compliance with the Master Settlement Agreement.

23 **SB 27:** FOR AN ACT ENTITLED, An Act to establish a missing persons clearinghouse.

24 **SB 44:** FOR AN ACT ENTITLED, An Act to authorize the use of crime victims' compensation
25 funds to reimburse law enforcement for certain emergency expenses incurred for victims.

26 **SB 45:** FOR AN ACT ENTITLED, An Act to transfer the functions of the South Dakota Value
27 Added Finance Authority to the South Dakota Economic Development Finance Authority and the
28 South Dakota Board of Economic Development and to abolish the South Dakota Value Added Finance
29 Authority.

30 **SB 81:** FOR AN ACT ENTITLED, An Act to establish eligibility criteria for out-of-state health
31 institutions to receive financing from the Health and Educational Facilities Authority.

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

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

SB 98: FOR AN ACT ENTITLED, An Act to extend the notification period for possession of a concealed pistol in the state capitol.

SB 120: FOR AN ACT ENTITLED, An Act to establish exceptions regarding the possession of a pistol by a minor.

SB 124: FOR AN ACT ENTITLED, An Act to to revise provisions regarding group pheasant hunts for disabled veterans.

SB 149: FOR AN ACT ENTITLED, An Act to revise provisions regarding emblem specialty plates.

Were read the second time.

The question being "Shall **SB 27, 45, 81, 89, 98, 120, 124, and 149** pass as amended, and **SB 25, 44, and 91** pass?"

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, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Latterell, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Excused:

Deutsch, Glanzer, Lesmeister, and Pourier

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.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

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

Was read the second time.

The question being "Shall **SB 180** pass as amended?"

And the roll being called:

Yeas 54, Nays 11, Excused 5, Absent 0

Yeas:

Anderson, Barthel, Beal, Borglum, Brunner, Chaffee, Dennert, Diedrich, Duvall, Finck, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Latterell, Livermont, Marty, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke,

1 Post, Qualm, Rasmussen, Reed, Reimer, Rounds, St. John, Steele, Wangsness, Weis, Wiese,
2 Willadsen, York, Zikmund, and Speaker Haugaard

3 Nays:
4 Bordeaux, Chase, Cwach, Duba, Healy, McCleerey, Randolph, Ring, Saba, Jamie Smith, and
5 Sullivan

6 Excused:
7 Bartels, Deutsch, Glanzer, Lesmeister, and Pourier

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

10 Rep. Qualm moved that **SB 41** be placed to follow **SB 19** on today's calendar.

11 Which motion prevailed.

12 **SB 42:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to demolish three
13 storage structures and contract for the construction of a grounds facility at the University of South
14 Dakota and to make an appropriation therefor.

15 Was read the second time.

16 The question being "Shall **SB 42** pass?"

17 And the roll being called:

18 Yeas 55, Nays 11, Excused 4, Absent 0

19 Yeas:
20 Anderson, Barthel, Beal, Bordeaux, Borglum, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba,
21 Duvall, Finck, Goodwin, Gross, Hammock, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns,
22 Chris Johnson, David Johnson, Karr, Koth, Latterell, Lesmeister, McCleerey, Mills, Milstead,
23 Miskimins, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Post, Qualm,
24 Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness,
25 Wiese, Willadsen, York, and Zikmund

26 Nays:
27 Brunner, Frye-Mueller, Gosch, Lana Greenfield, Livermont, Marty, Mulally, Pischke, Randolph,
28 Weis, and Speaker Haugaard

29 Excused:
30 Bartels, Deutsch, Glanzer, and Pourier

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

33 **SB 43:** FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building Authority to
34 issue revenue bonds to provide for maintenance and repair on facilities controlled by the Board of
35 Regents and to provide appropriation therefor.

36 Was read the second time.

1 The question being "Shall **SB 43** pass?"

2 And the roll being called:

3 Yeas 48, Nays 18, Excused 4, Absent 0

4 Yeas:

5 Anderson, Barthel, Bordeaux, Borglum, Chaffee, Chase, Cwach, Diedrich, Duba, Duvall, Finck,
6 Gross, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth,
7 Latterell, Lesmeister, McCleerey, Mills, Milstead, Miskimins, Olson, Herman Otten, Perry, Kent
8 Peterson, Sue Peterson, Post, Qualm, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith,
9 St. John, Sullivan, Wangsness, Wiese, Willadsen, York, and Zikmund

10 Nays:

11 Beal, Brunner, Dennert, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Hammock, Howard,
12 Livermont, Marty, Mulally, Overweg, Pischke, Randolph, Steele, Weis, and Speaker Haugaard

13 Excused:

14 Bartels, Deutsch, Glanzer, and Pourier

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

17 **SB 39:** FOR AN ACT ENTITLED, An Act to establish the Jobs for South Dakota's Graduates
18 program and the special donation fund.

19 Was read the second time.

20 The question being "Shall **SB 39** pass?"

21 And the roll being called:

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

23 Yeas:

24 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
25 Dennert, Diedrich, Duba, Duvall, Finck, Gosch, Lana Greenfield, Gross, Hansen, Healy, Hunhoff,
26 Kevin Jensen, Johns, David Johnson, Karr, Koth, Latterell, Lesmeister, Marty, McCleerey, Mills,
27 Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson,
28 Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John,
29 Steele, Sullivan, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

30 Nays:

31 Frye-Mueller, Goodwin, Hammock, Howard, Chris Johnson, Livermont, and Pischke

32 Excused:

33 Deutsch, Glanzer, and Pourier

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

36 **SB 26:** FOR AN ACT ENTITLED, An Act to increase the assessment of liquidated court costs
37 and to revise the disposition of the funds collected.

38 Was read the second time.

1 Rep. Post moved that **SB 26** be amended as follows:

2 26G

3 On the Senate engrossed bill, delete the previously adopted amendment(s), thus restoring the
4 bill to the Introduced version.

5 Which motion prevailed.

6 The question being "Shall **SB 26** pass as amended?"

7 And the roll being called:

8 Yeas 62, Nays 5, Excused 3, Absent 0

9 Yeas:

10 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
11 Dennert, Diedrich, Duba, Duvall, Finck, Frye-Mueller, Goodwin, Lana Greenfield, Gross, Hammock,
12 Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Chris Johnson, David Johnson, Karr, Koth, Latterell,
13 Lesmeister, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry,
14 Kent Peterson, Sue Peterson, Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds,
15 Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Weis, Wiese, Willadsen, York, Zikmund,
16 and Speaker Haugaard

17 Nays:

18 Gosch, Johns, Livermont, Marty, and Pischke

19 Excused:

20 Deutsch, Glanzer, and Pourier

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

23 **SB 33:** FOR AN ACT ENTITLED, An Act to authorize the Department of the Military to construct
24 a storage building located in Brown County, to make an appropriation therefor, and to declare an
25 emergency.

26 Was read the second time.

27 The question being "Shall **SB 33** pass?"

28 And the roll being called:

29 Yeas 65, Nays 2, Excused 3, Absent 0

30 Yeas:

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

38 Nays:

39 Livermont and Ring

1 Excused:
2 Deutsch, Glanzer, and Pourier

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

5 **SB 35:** FOR AN ACT ENTITLED, An Act to revise the appropriation for the State Veterans'
6 Cemetery and to declare an emergency.

7 Was read the second time.

8 The question being "Shall **SB 35** pass?"

9 And the roll being called:

10 Yeas 66, Nays 0, Excused 4, Absent 0

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

19 Excused:
20 Deutsch, Glanzer, Pourier, and Qualm

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

23 **SB 119:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding private
24 placement insurance.

25 Was read the second time.

26 The question being "Shall **SB 119** pass?"

27 And the roll being called:

28 Yeas 60, Nays 6, Excused 4, Absent 0

29 Yeas:
30 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
31 Dennert, Diedrich, Duba, Duvall, Finck, Frye-Mueller, Goodwin, Gross, Hammock, Hansen, Healy,
32 Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Latterell, Lesmeister,
33 Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg,
34 Perry, Sue Peterson, Post, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith,
35 St. John, Steele, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

36 Nays:
37 Gosch, Lana Greenfield, Howard, Kent Peterson, Pischke, and Sullivan

1 Excused:
2 Deutsch, Glanzer, Pourier, and Qualm

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

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

7 Was read the second time.

8 Rep. Healy moved that **SB 97** be amended as follows:

9 97E

10 On page 1, line 5, of the Introduced bill, delete " 32-2-64. 1" and insert " 32-3-64.1"

11 On page 1, line 18, of the Introduced bill, after "person " insert "in lawful possession of the
12 vehicle "

13 On page 1, line 19, of the Introduced bill, delete " which" and insert " declaring"

14 On page 1, line 19, of the Introduced bill, after "which " insert "that the conditions of this
15 section have been satisfied and "

16 On page 1, line 19, of the Introduced bill, delete "explains " and insert "explaining "

17 On page 1, line 20, of the Introduced bill, after "the" delete " applicant's acquisition"

18 On page 1, line 20, of the Introduced bill, after "acquisition " insert "applicant obtaining
19 possession "

20 On page 2, line 16, of the Introduced bill, after "title " insert "or the affidavit submitted with
21 the application "

22 Which motion prevailed.

23 The question being "Shall **SB 97** pass as amended?"

24 And the roll being called:

25 Yeas 65, Nays 1, Excused 4, Absent 0

26 Yeas:

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

34 Nays:

35 Livermont

1 Excused:
2 Deutsch, Glanzer, Pourier, and Qualm

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

5 **SB 140:** FOR AN ACT ENTITLED, An Act to provide for the resolution of alleged certain disability
6 violations.

7 Was read the second time.

8 The question being "Shall **SB 140** pass as amended?"

9 And the roll being called:

10 Yeas 67, Nays 0, Excused 3, Absent 0

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

19 Excused:
20 Deutsch, Glanzer, and Pourier

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

23 **SB 151:** FOR AN ACT ENTITLED, An Act to define critical infrastructure and revise certain
24 crimes for the trespass or damage to critical infrastructure.

25 Was read the second time.

26 The question being "Shall **SB 151** pass as amended?"

27 And the roll being called:

28 Yeas 64, Nays 3, Excused 3, Absent 0

29 Yeas:
30 Anderson, Bartels, Barthel, Beal, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich,
31 Duvall, Finck, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Healy,
32 Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Latterell,
33 Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten,
34 Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, Reed,
35 Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Wangsness, Weis, Wiese, Willadsen,
36 York, Zikmund, and Speaker Haugaard

37 Nays:
38 Bordeaux, Duba, and Sullivan

1 Excused:
2 Deutsch, Glanzer, and Poirier

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

5 **SB 55:** FOR AN ACT ENTITLED, An Act to require the Board of Regents to assemble a task
6 force to study the operations and functions of the institutions of higher education under the board's
7 authority.

8 Was read the second time.

9 The question being "Shall **SB 55** pass as amended?"

10 And the roll being called:

11 Yeas 65, Nays 2, Excused 3, Absent 0

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

20 Nays:
21 Bordeaux and Ring

22 Excused:
23 Deutsch, Glanzer, and Poirier

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

26 Rep. Qualm moved that House do now recess until 3:30 p.m.

27 Which motion prevailed and at 2:47 p.m., the House recessed.

28 **RECESS**

29 The House reconvened at 3:36 p.m., the Speaker presiding.

30 Speaker Pro tempore Gosch now presiding.

31 **SB 144:** FOR AN ACT ENTITLED, An Act to establish certain restrictions regarding participation
32 in the state subsidized dual credit program for certain students.

33 Was read the second time.

1 The question being "Shall **SB 144** pass as amended?"

2 And the roll being called:

3 Yeas 32, Nays 35, Excused 3, Absent 0

4 Yeas:

5 Beal, Dennert, Duvall, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Howard, Kevin
6 Jensen, Chris Johnson, Karr, Latterell, Livermont, Marty, Mills, Milstead, Miskimins, Mulally,
7 Overweg, Perry, Pischke, Post, Qualm, Randolph, Rounds, Wangsness, Weis, Wiese, Willadsen, York,
8 and Speaker Haugaard

9 Nays:

10 Anderson, Bartels, Barthel, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Diedrich,
11 Duba, Finck, Hammock, Hansen, Healy, Hunhoff, Johns, David Johnson, Koth, Lesmeister,
12 McCleerey, Olson, Herman Otten, Kent Peterson, Sue Peterson, Rasmussen, Reed, Reimer, Ring,
13 Saba, Jamie Smith, St. John, Steele, Sullivan, and Zikmund

14 Excused:

15 Deutsch, Glanzer, and Pourier

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

18 **SB 70:** FOR AN ACT ENTITLED, An Act to authorize the use of Spanish in obtaining certain
19 driver licenses and permits.

20 Was read the second time.

21 Rep. Steele moved that **SB 70** be amended as follows:

22 70E

23 On page 1, line 1, of the House Transportation bill, delete "other languages to be used in the
24 process of issuing" and insert "the use of Spanish in obtaining"

25 On page 1, line 23, of the House Transportation bill, delete "The " and insert "For
26 noncommercial driver licenses and permits, the "

27 On page 1, line 23, of the House Transportation bill, delete "offerlicense and permit " and
28 insert":

29 (1) Provide the "

30 On page 1, line 23, of the House Transportation bill, delete the comma and insert " in Spanish
31 and English;

32 (2) Provide the "

33 On page 1, line 24, of the House Transportation bill, delete ", or conduct" and insert " in Spanish
34 and English; and

35 (3) Allow an applicant to take the "

36 On page 1, line 24, of the House Transportation bill, delete "examinations in the" and insert "
37 knowledge test in"

1 On page 1, line 24, of the House Transportation bill, delete "language, in addition to" and insert
2 " or"

3 On page 2, line 1, of the House Transportation bill, after "English" delete ", for noncommercial
4 driver licenses and permits. However, the"

5 On page 2, line 1, of the House Transportation bill, delete "skills portion of the driver license"
6 and insert ".

7 Any instructions given to the applicant during the driving"

8 On page 2, line 2, of the House Transportation bill, delete "shall continue to" and insert " must"

9 On page 2, line 3, of the House Transportation bill, delete "2022" and insert " 2021"

10 Which motion prevailed.

11 Rep. Howard moved that **SB 70** be amended as follows:

12 70F

13 On page 1, line 23, of the House Transportation bill, delete "shall " and insert "may "

14 And the roll being called:

15 Yeas 31, Nays 35, Excused 4, Absent 0

16 Yeas:

17 Beal, Brunner, Diedrich, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Hammock,
18 Hansen, Howard, Kevin Jensen, Chris Johnson, Karr, Latterell, Livermont, Marty, Mills, Mulally,
19 Overweg, Perry, Sue Peterson, Pischke, Post, Randolph, Reimer, St. John, Weis, Wiese, York, and
20 Speaker Haugaard

21 Nays:

22 Anderson, Bartels, Barthel, Bordeaux, Borglum, Chaffee, Chase, Cwach, Duba, Duvall, Finck,
23 Healy, Hunhoff, Johns, David Johnson, Koth, Lesmeister, McCleerey, Milstead, Miskimins, Olson,
24 Herman Otten, Kent Peterson, Qualm, Rasmussen, Reed, Ring, Rounds, Saba, Jamie Smith, Steele,
25 Sullivan, Wangsness, Willadsen, and Zikmund

26 Excused:

27 Dennert, Deutsch, Glanzer, and Pourier

28 So the motion not having received an affirmative vote of a majority of the members present,
29 the Speaker declared the motion lost.

30 Rep. Willadsen rose to a point of order that Rep. Perry was not speaking to the amendment.

31 The question being "Shall **SB 70** pass as amended?"

32 And the roll being called:

33 Yeas 42, Nays 24, Excused 4, Absent 0

34 Yeas:

35 Anderson, Bartels, Barthel, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Diedrich,
36 Duba, Duvall, Finck, Gross, Healy, Hunhoff, Johns, Chris Johnson, David Johnson, Koth, Latterell,

1 Lesmeister, McCleerey, Miskimins, Olson, Herman Otten, Perry, Kent Peterson, Qualm, Reed,
2 Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Willadsen, York,
3 and Zikmund

4 Nays:

5 Beal, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Hammock, Hansen, Howard, Kevin
6 Jensen, Karr, Livermont, Marty, Mills, Milstead, Mulally, Overweg, Sue Peterson, Pischke, Post,
7 Randolph, Rasmussen, Weis, Wiese, and Speaker Haugaard

8 Excused:

9 Dennert, Deutsch, Glanzer, and Pourier

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

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

14 Was read the second time.

15 The question being "Shall **SB 17** pass as amended?"

16 And the roll being called:

17 Yeas 64, Nays 3, Excused 3, Absent 0

18 Yeas:

19 Anderson, Bartels, Barthel, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert,
20 Diedrich, Duba, Duvall, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen,
21 Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Latterell,
22 Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten,
23 Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, Reed,
24 Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Weis, Wiese,
25 Willadsen, York, and Zikmund

26 Nays:

27 Beal, Finck, and Speaker Haugaard

28 Excused:

29 Deutsch, Glanzer, and Pourier

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

32 **SB 40:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the
33 construction of an Allied Health Facility.

34 Was read the second time.

1 Rep. Qualm moved that **SB40** be amended as follows:

2 40D

3 On page 1, Line 18, of the Joint Appropriations bill, delete "five million dollars (\$5,000,000)"
4 and insert "one dollar (\$1)"

5 Which motion prevailed.

6 The question being "Shall **SB 40** pass as amended?"

7 And the roll being called:

8 Yeas 44, Nays 23, Excused 3, Absent 0

9 Yeas:

10 Anderson, Bartels, Barthel, Bordeaux, Borglum, Chaffee, Chase, Cwach, Diedrich, Duba,
11 Duvall, Lana Greenfield, Gross, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, David Johnson, Koth,
12 Lesmeister, McCleerey, Milstead, Miskimins, Olson, Herman Otten, Kent Peterson, Sue Peterson,
13 Qualm, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan,
14 Wangsness, Wiese, Willadsen, York, and Zikmund

15 Nays:

16 Beal, Brunner, Dennert, Finck, Frye-Mueller, Goodwin, Gosch, Hammock, Howard, Chris
17 Johnson, Karr, Latterell, Livermont, Marty, Mills, Mulally, Overweg, Perry, Pischke, Post, Randolph,
18 Weis, and Speaker Haugaard

19 Excused:

20 Deutsch, Glanzer, and Pourier

21 So the bill not having received an affirmative vote of a two-thirds majority of the members-
22 elect, the Speaker declared the bill lost.

23 Rep. Qualm announced his intention to reconsider the vote by which **SB 40** lost.

24 **SB 157: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the county**
25 **zoning and appeals process.**

26 Was read the second time.

27 Rep. Wiese moved that **SB 157** be amended as follows:

28 157H

29 On page 2, line 5, of the Senate bill, after "authority" delete " who are present and voting"

30 A roll call vote was requested and supported.

31 And the roll being called:

32 Yeas 41, Nays 26, Excused 3, Absent 0

1 Yeas:

2 Bordeaux, Brunner, Cwach, Dennert, Duba, Frye-Mueller, Goodwin, Gosch, Lana Greenfield,
3 Gross, Hammock, Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, Karr, Latterell,
4 Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Mulally, Perry, Sue Peterson, Pischke,
5 Randolph, Rasmussen, Reimer, Ring, Rounds, Saba, Jamie Smith, Sullivan, Weis, Wiese, York, and
6 Speaker Haugaard

7 Nays:

8 Anderson, Bartels, Barthel, Beal, Borglum, Chaffee, Chase, Diedrich, Duvall, Finck, Hansen,
9 David Johnson, Koth, Miskimins, Olson, Herman Otten, Overweg, Kent Peterson, Post, Qualm, Reed,
10 St. John, Steele, Wangsness, Willadsen, and Zikmund

11 Excused:

12 Deutsch, Glanzer, and Pourier

13 So the motion having received an affirmative vote of a majority of the members present, the
14 Speaker declared the motion prevailed.

15 The question being "Shall **SB 157** pass as amended?"

16 And the roll being called:

17 Yeas 45, Nays 22, Excused 3, Absent 0

18 Yeas:

19 Anderson, Bartels, Barthel, Beal, Borglum, Brunner, Chaffee, Chase, Dennert, Diedrich, Duvall,
20 Finck, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Hunhoff, Kevin Jensen, Johns,
21 David Johnson, Karr, Lesmeister, Marty, Milstead, Olson, Herman Otten, Overweg, Perry, Kent
22 Peterson, Sue Peterson, Post, Qualm, Rasmussen, Reed, Reimer, Rounds, Saba, Steele, Wangsness,
23 Wiese, Willadsen, York, and Zikmund

24 Nays:

25 Bordeaux, Cwach, Duba, Frye-Mueller, Healy, Howard, Chris Johnson, Koth, Latterell,
26 Livermont, McCleerey, Mills, Miskimins, Mulally, Pischke, Randolph, Ring, Jamie Smith, St. John,
27 Sullivan, Weis, and Speaker Haugaard

28 Excused:

29 Deutsch, Glanzer, and Pourier

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

32 There being no objection, the House reverted to Order of Business No. 7 - Messages from the
33 Senate.

34 **MESSAGES FROM THE SENATE**

35 Mr. SPEAKER:

36 I have the honor to inform your honorable body that the Senate has appointed
37 Senators Youngberg, Brock Greenfield, and Heinert as a committee of three on the part of the
38 Senate to meet with a like committee on the part of the House to adjust the differences between
39 the two houses on **HB 1054**.

1 Also Mr. SPEAKER:

2 I have the honor to inform your honorable body that the Senate has appointed Senators Bolin,
3 Stalzer, and Kennedy as a committee of three on the part of the Senate to meet with a like
4 committee on the part of the House to adjust the differences between the two houses on **HCR 6012**.

5 Respectfully,
6 Kay Johnson, Secretary

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

9 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

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

12 Was read the second time.

13 The question being "Shall **SB 164** pass as amended?"

14 And the roll being called:

15 Yeas 65, Nays 2, Excused 3, Absent 0

16 Yeas:

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

24 Nays:

25 Rasmussen and Ring

26 Excused:

27 Deutsch, Glanzer, and Pourier

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

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

32 Was read the second time.

33 The question being "Shall **SB 169** pass as amended?"

34 And the roll being called:

35 Yeas 56, Nays 11, Excused 3, Absent 0

1 Yeas:
2 Bartels, Barthel, Beal, Borglum, Brunner, Chaffee, Chase, Dennert, Diedrich, Duvall, Finck,
3 Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Howard, Hunhoff, Kevin
4 Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Latterell, Lesmeister, Livermont, Marty,
5 Mills, Milstead, Miskimins, Mulally, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson,
6 Pischke, Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Rounds, St. John, Steele, Wangsness,
7 Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

8 Nays:
9 Anderson, Bordeaux, Cwach, Duba, Healy, McCleerey, Olson, Ring, Saba, Jamie Smith, and
10 Sullivan

11 Excused:
12 Deutsch, Glanzer, and Pourier

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

15 **SB 156:** FOR AN ACT ENTITLED, An Act to repeal provisions regarding the South Dakota
16 Veterans Commission.

17 Was read the second time.

18 The question being "Shall **SB 156** pass?"

19 And the roll being called:

20 Yeas 67, Nays 0, Excused 3, Absent 0

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

29 Excused:
30 Deutsch, Glanzer, and Pourier

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

33 **SB 47:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding sex offender
34 registration statutes.

35 Was read the second time.

36 The question being "Shall **SB 47** pass as amended?"

37 And the roll being called:

38 Yeas 66, Nays 0, Excused 4, Absent 0

1 Yeas:

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

9 Excused:

10 Deutsch, Glanzer, Hammock, and Pourier

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

13 **SB 71:** FOR AN ACT ENTITLED, An Act to revise the offenses for which an order for interception
14 of communications may be granted.

15 Was read the second time.

16 The question being "Shall **SB 71** pass?"

17 And the roll being called:

18 Yeas 66, Nays 0, Excused 4, Absent 0

19 Yeas:

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

27 Excused:

28 Deutsch, Glanzer, Hammock, and Pourier

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

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

33 Was read the second time.

34 Rep. Johns moved that **SB 73** be amended as follows:

35 73D

36 On page 1, line 10, of the Senate Judiciary bill, after "trafficking" delete ", domestic abuse, or
37 child abuse"

38 Which motion prevailed.

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

2 And the roll being called:

3 Yeas 66, Nays 0, Excused 4, Absent 0

4 Yeas:

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

12 Excused:

13 Deutsch, Glanzer, Hammock, and Pourier

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

16 **SB 96:** FOR AN ACT ENTITLED, An Act to prohibit the denial of benefits based solely on a
17 controlled substance felony.

18 Was read the second time.

19 The question being "Shall **SB 96** pass?"

20 And the roll being called:

21 Yeas 49, Nays 17, Excused 4, Absent 0

22 Yeas:

23 Anderson, Bartels, Barthel, Bordeaux, Borglum, Chaffee, Chase, Cwach, Dennert, Diedrich,
24 Duba, Duvall, Finck, Goodwin, Gross, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, Chris Johnson,
25 David Johnson, Latterell, Lesmeister, McCleerey, Mills, Milstead, Miskimins, Olson, Herman Otten,
26 Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Qualm, Rasmussen, Reed, Reimer, Ring,
27 Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Willadsen, and Zikmund

28 Nays:

29 Beal, Brunner, Frye-Mueller, Gosch, Lana Greenfield, Howard, Karr, Koth, Livermont, Marty,
30 Mulally, Post, Randolph, Weis, Wiese, York, and Speaker Haugaard

31 Excused:

32 Deutsch, Glanzer, Hammock, and Pourier

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

35 **SB 46:** FOR AN ACT ENTITLED, An Act to revise provisions related to the restoration to
36 competency of criminal defendants.

37 Was read the second time.

1 The question being "Shall **SB 46** pass as amended?"

2 And the roll being called:

3 Yeas 64, Nays 2, Excused 4, Absent 0

4 Yeas:

5 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
6 Dennert, Diedrich, Duba, Duvall, Finck, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross,
7 Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Koth,
8 Latterell, Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson,
9 Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph,
10 Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness,
11 Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

12 Nays:

13 Karr and Weis

14 Excused:

15 Deutsch, Glanzer, Hammock, and Pourier

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

18 **SB 139:** FOR AN ACT ENTITLED, An Act to revise provisions regarding replacement nursing
19 facilities.

20 Was read the second time.

21 The question being "Shall **SB 139** pass as amended?"

22 And the roll being called:

23 Yeas 66, Nays 0, Excused 4, Absent 0

24 Yeas:

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

32 Excused:

33 Deutsch, Glanzer, Hammock, and Pourier

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

36 **SB 2:** FOR AN ACT ENTITLED, An Act to require the Department of Social Services to fully
37 support a statewide centralized resource information system.

38 Was read the second time.

1 Rep. Hunhoff moved that **SB 2** be amended as follows:

2 2B

3 On page 1, line 6, of the Introduced bill, remove the overstrikes from " with a fifty percent
4 match rate for"

5 Which motion prevailed.

6 Rep. Rounds rose to a point of order indicating that speaking on the amended bill is a new
7 subject.

8 The question being "Shall **SB 2** pass as amended?"

9 And the roll being called:

10 Yeas 44, Nays 22, Excused 4, Absent 0

11 Yeas:

12 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
13 Dennert, Diedrich, Duba, Duvall, Finck, Lana Greenfield, Healy, Hunhoff, Johns, David Johnson,
14 Koth, Lesmeister, McCleerey, Mills, Milstead, Miskimins, Olson, Herman Otten, Perry, Kent Peterson,
15 Sue Peterson, Qualm, Rasmussen, Reed, Ring, Rounds, Saba, Jamie Smith, St. John, Sullivan,
16 Wiese, Willadsen, York, and Zikmund

17 Nays:

18 Frye-Mueller, Goodwin, Gosch, Gross, Hansen, Howard, Kevin Jensen, Chris Johnson, Karr,
19 Latterell, Livermont, Marty, Mulally, Overweg, Pischke, Post, Randolph, Reimer, Steele, Wangsness,
20 Weis, and Speaker Haugaard

21 Excused:

22 Deutsch, Glanzer, Hammock, and Pourier

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

25 **SB 36: FOR AN ACT ENTITLED, An Act to transfer funds from the budget reserve fund and to**
26 **declare an emergency.**

27 Was read the second time.

28 The question being "Shall **SB 36** pass as amended?"

29 And the roll being called:

30 Yeas 50, Nays 16, Excused 4, Absent 0

31 Yeas:

32 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Chaffee, Chase, Cwach, Diedrich, Duba,
33 Duvall, Finck, Gross, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, Chris Johnson, Karr, Koth,
34 Lesmeister, McCleerey, Mills, Milstead, Miskimins, Herman Otten, Overweg, Perry, Kent Peterson,
35 Sue Peterson, Pischke, Post, Qualm, Randolph, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St.
36 John, Steele, Sullivan, Wangsness, Wiese, Willadsen, York, and Zikmund

1 Nays:
2 Brunner, Dennert, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Howard, David Johnson,
3 Latterell, Livermont, Marty, Mulally, Olson, Rasmussen, Weis, and Speaker Haugaard

4 Excused:
5 Deutsch, Glanzer, Hammock, and Pourier

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

8 **SB 136:** FOR AN ACT ENTITLED, An Act to authorize certain witnesses to be accompanied by
9 a certified therapeutic dog in a criminal proceeding.

10 Was read the second time.

11 Rep. Mulally moved that **SB 136** be amended as follows:

12 136E

13 On page 1, line 1, of the Senate Health and Human Services bill, after "a " delete "certified
14 therapeutic "

15 On page 1, line 6, of the Senate Health and Human Services bill, after "party" delete " as
16 provided in § 23A-24-11"

17 On page 1, line 7, of the Senate Health and Human Services bill, after "may " delete "enter
18 any order necessary to "

19 On page 1, line 8, of the Senate Health and Human Services bill, after "a " delete "certified
20 therapeutic "

21 On page 1, line 9, of the Senate Health and Human Services bill, after "testimony" delete " in
22 the manner provided in § 23A-24-12"

23 On page 1, line 11, of the Senate Health and Human Services bill, delete "(1) "Certified
24 therapeutic dog," a dog that has received the requisite training or certification and is registered with
25 Therapy Dogs Incorporated, Therapy Dogs International, Assistance Dogs International, or an
26 equivalent organization to perform the duties associated with therapy dogs in places such as
27 hospitals, nursing homes, and other facilities where the emotional benefits of therapy dogs are
28 recognized;

29 (2) "Certified handler," a person who has received training and is registered with Therapy Dogs
30 Incorporated, Therapy Dogs International, Assistance Dogs International, or an equivalent
31 organization for offering the person's animal for assistance purposes and has received additional
32 training on the protocols and policies of courts, the expected roles of the person's animal assistance
33 team, and the expected interaction so as not to interfere with the collection of evidence or the
34 effective administration of justice;

35 (3)" and insert "(1)"

36 On page 1, line 26, of the Senate Health and Human Services bill, delete "(4)" and insert "(2)"

37 On page 2, line 3, of the Senate Health and Human Services bill, after "a" delete " certified
38 therapeutic"

39 On page 2, line 4, of the Senate Health and Human Services bill, after "a" delete " certified
40 therapeutic"

1 On page 2, line 4, of the Senate Health and Human Services bill, after "shall" delete ", outside
2 the presence of the jury,"

3 On page 2, line 5, of the Senate Health and Human Services bill, delete " containing the
4 following information" and insert " verifying that"

5 On page 2, line 6, of the Senate Health and Human Services bill, delete "(1) The credentials of
6 the certified therapeutic dog;

7 (2) The credentials of the certified handler;

8 (3)" and insert "(1)"

9 On page 2, line 8, of the Senate Health and Human Services bill, delete "That " and insert
10 "Insurance coverage exists for any actions by "

11 On page 2, line 8, of the Senate Health and Human Services bill, after "the" delete " certified
12 therapeutic"

13 On page 2, line 8, of the Senate Health and Human Services bill, after "dog" delete " is
14 adequately insured"

15 On page 2, line 9, of the Senate Health and Human Services bill, delete "(4)" and insert "(2)"

16 On page 2, line 9, of the Senate Health and Human Services bill, delete "That a basic" and
17 insert " A"

18 On page 2, line 10, of the Senate Health and Human Services bill, after "the " delete "certified
19 therapeutic "

20 On page 2, line 10, of the Senate Health and Human Services bill, after "dog" insert the comma

21 On page 2, line 11, of the Senate Health and Human Services bill, delete "

22 (5) That the certified therapeutic dog is capable of sitting quietly for extended periods
23 of time;" and insert

24 On page 2, line 14, of the Senate Health and Human Services bill, delete "(6)" and insert "(3)"

25 On page 2, line 14, of the Senate Health and Human Services bill, delete "That the" and insert
26 "The"

27 On page 2, line 14, of the Senate Health and Human Services bill, after "the" delete " certified
28 therapeutic"

29 On page 2, line 16, of the Senate Health and Human Services bill, after "testifying" delete " in
30 the criminal trial or hearing"

31 On page 2, line 19, of the Senate Health and Human Services bill, delete " the certified" and
32 insert " a"

33 On page 2, line 20, of the Senate Health and Human Services bill, after "the" delete " certified
34 therapeutic"

35 On page 2, line 21, of the Senate Health and Human Services bill, after "the " delete "certified
36 therapeutic "

37 On page 2, line 22, of the Senate Health and Human Services bill, delete " without interfering
38 with" and insert ", provided the handler does not impede"

- 1 On page 2, line 23, of the Senate Health and Human Services bill, after "witness. " delete "The
2 certified handler may either sit to the side of the witness stand or behind the witness stand."
- 3 On page 2, line 31, of the Senate Health and Human Services bill, delete " the presence of a
4 certified therapeutic" and insert " a"
- 5 On page 2, line 32, of the Senate Health and Human Services bill, delete "to assist a child
6 witness or " and insert "accompanying "
- 7 On page 2, line 32, of the Senate Health and Human Services bill, after "witness" delete "
8 having a developmental disability"
- 9 On page 3, line 1, of the Senate Health and Human Services bill, delete " as a" and insert " to"
- 10 On page 3, line 1, of the Senate Health and Human Services bill, after "prejudice " delete "to
11 "
- 12 On page 3, line 3, of the Senate Health and Human Services bill, after "defendant." delete "For
13 purposes of this section, the terms, certified therapeutic dog, child witness, and developmental
14 disability, have the meanings provided in § 23A-24-10."
- 15 On page 3, line 7, of the Senate Health and Human Services bill, after "a" delete " certified
16 therapeutic"
- 17 On page 3, line 9, of the Senate Health and Human Services bill, after "party." delete "For
18 purposes of this section, the term, certified therapeutic dog, has the meaning provided in § 23A-
19 24-10."
- 20 Which motion lost.
- 21 The question being "Shall **SB 136** pass as amended?"
- 22 And the roll being called:
- 23 Yeas 52, Nays 14, Excused 4, Absent 0
- 24 Yeas:
25 Anderson, Bartels, Barthel, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert,
26 Diedrich, Duba, Duvall, Finck, Goodwin, Lana Greenfield, Gross, Hansen, Healy, Hunhoff, Kevin
27 Jensen, Johns, David Johnson, Koth, Latterell, Lesmeister, Livermont, Marty, McCleerey, Mills,
28 Milstead, Miskimins, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke,
29 Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Sullivan, Wiese, Willadsen,
30 York, and Zikmund
- 31 Nays:
32 Beal, Frye-Mueller, Gosch, Howard, Chris Johnson, Karr, Mulally, Post, Qualm, Randolph,
33 Steele, Wangsness, Weis, and Speaker Haugaard
- 34 Excused:
35 Deutsch, Glanzer, Hammock, and Pourier
- 36 So the bill having received an affirmative vote of a majority of the members-elect, the Speaker
37 declared the bill passed and the title was agreed to.

SB 20: FOR AN ACT ENTITLED, An Act to create a monitor to review and respond to complaints related to the care provided to youth in the custody or care of certain care facilities, treatment centers, and programs.

Was read the second time.

The question being "Shall **SB 20** pass as amended?"

And the roll being called:

Yeas 64, Nays 2, Excused 4, Absent 0

Yeas:

Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Finck, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Latterell, Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Post, 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, Glanzer, Hammock, and Pourier

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.

SB 84: FOR AN ACT ENTITLED, An Act to authorize service animals in-training to enter certain establishments.

Was read the second time.

The question being "Shall **SB 84** pass as amended?"

And the roll being called:

Yeas 54, Nays 12, Excused 4, Absent 0

Yeas:

Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Finck, Goodwin, Gosch, Lana Greenfield, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, David Johnson, Karr, Koth, Lesmeister, McCleerey, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Qualm, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Sullivan, Wangsness, Weis, Wiese, Willadsen, Zikmund, and Speaker Haugaard

Nays:

Frye-Mueller, Gross, Howard, Chris Johnson, Latterell, Livermont, Marty, Mills, Pischke, Post, Steele, and York

1 Excused:
2 Deutsch, Glanzer, Hammock, and Pourier

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

5 **SB 135:** FOR AN ACT ENTITLED, An Act to increase the bid limit for certain public
6 improvements.

7 Was read the second time.

8 The question being "Shall **SB 135** pass?"

9 And the roll being called:

10 Yeas 58, Nays 8, Excused 4, Absent 0

11 Yeas:
12 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
13 Dennert, Diedrich, Duba, Duvall, Goodwin, Gosch, Lana Greenfield, Gross, Hansen, Healy, Hunhoff,
14 Kevin Jensen, Johns, David Johnson, Karr, Koth, Lesmeister, Livermont, McCleerey, Mills, Milstead,
15 Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Post,
16 Qualm, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan,
17 Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

18 Nays:
19 Finck, Frye-Mueller, Howard, Chris Johnson, Latterell, Marty, Pischke, and Randolph

20 Excused:
21 Deutsch, Glanzer, Hammock, and Pourier

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

24 **SB 18:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding professional
25 counselors.

26 Was read the second time.

27 The question being "Shall **SB 18** pass as amended?"

28 And the roll being called:

29 Yeas 54, Nays 12, Excused 4, Absent 0

30 Yeas:
31 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
32 Dennert, Diedrich, Duba, Duvall, Finck, Goodwin, Gross, Hansen, Healy, Hunhoff, Kevin Jensen,
33 Johns, David Johnson, Karr, Koth, Lesmeister, Marty, McCleerey, Mills, Milstead, Miskimins, Olson,
34 Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Post, Qualm, Randolph, Rasmussen,
35 Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Sullivan, Wangsness, Wiese, Willadsen,
36 York, and Zikmund

1 Nays:
2 Frye-Mueller, Gosch, Lana Greenfield, Howard, Chris Johnson, Latterell, Livermont, Mulally,
3 Pischke, Steele, Weis, and Speaker Haugaard

4 Excused:
5 Deutsch, Glanzer, Hammock, and Pourier

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

8 **SB 19:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding marriage and
9 family therapists.

10 Was read the second time.

11 Rep. Beal moved to call the question.

12 Which motion prevailed.

13 The question being "Shall **SB 19** pass as amended?"

14 And the roll being called:

15 Yeas 56, Nays 10, Excused 4, Absent 0

16 Yeas:
17 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach,
18 Dennert, Diedrich, Duba, Duvall, Finck, Goodwin, Gosch, Gross, Hansen, Healy, Hunhoff, Kevin
19 Jensen, Johns, David Johnson, Karr, Koth, Lesmeister, Marty, McCleerey, Mills, Milstead, Miskimins,
20 Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Post, Qualm, Rasmussen,
21 Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Weis,
22 Wiese, Willadsen, York, and Zikmund

23 Nays:
24 Frye-Mueller, Lana Greenfield, Howard, Chris Johnson, Latterell, Livermont, Mulally, Pischke,
25 Randolph, and Speaker Haugaard

26 Excused:
27 Deutsch, Glanzer, Hammock, and Pourier

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

30 **SB 41:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the
31 construction of a facilities building at the University of South Dakota and to make an appropriation
32 therefor.

33 Was read the second time.

34 The question being "Shall **SB 41** pass?"

35 And the roll being called:

36 Yeas 53, Nays 13, Excused 4, Absent 0

1 Yeas:

2 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Chaffee, Chase, Cwach, Dennert,
3 Diedrich, Duba, Duvall, Finck, Gross, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris
4 Johnson, David Johnson, Karr, Koth, Latterell, Lesmeister, McCleerey, Mills, Milstead, Miskimins,
5 Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Post, Qualm, Reed, Reimer,
6 Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Wiese, Willadsen, York,
7 and Zikmund

8 Nays:

9 Brunner, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Livermont, Marty, Mulally, Pischke,
10 Randolph, Rasmussen, Weis, and Speaker Haugaard

11 Excused:

12 Deutsch, Glanzer, Hammock, and Pourier

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

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

17 MOTIONS AND RESOLUTIONS

18 Earlier today, Rep. Qualm announced his intention to reconsider the vote by which **SB 40** lost.

19 Rep. Qualm moved that the House do now reconsider the vote by which **SB 40** lost.

20 The question being on Rep. Qualm's motion to reconsider the vote by which **SB 40** lost.

21 And the roll being called:

22 Yeas 45, Nays 22, Excused 3, Absent 0

23 Yeas:

24 Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Chaffee, Chase, Cwach, Deutsch,
25 Diedrich, Duba, Duvall, Finck, Goodwin, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, David
26 Johnson, Koth, Lesmeister, McCleerey, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry,
27 Kent Peterson, Sue Peterson, Qualm, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John,
28 Sullivan, Wangsness, Willadsen, York, and Zikmund

29 Nays:

30 Brunner, Dennert, Frye-Mueller, Gosch, Lana Greenfield, Gross, Howard, Chris Johnson, Karr,
31 Latterell, Livermont, Marty, Mills, Milstead, Pischke, Post, Randolph, Rasmussen, Steele, Weis,
32 Wiese, and Speaker Haugaard

33 Excused:

34 Glanzer, Hammock, and Pourier

35 So the motion having received an affirmative vote of a majority of the members-elect, the
36 Speaker declared the motion carried and **SB 40** was up for reconsideration and final passage.

1 Rep. Finck moved that **SB 40** be amended as follows:

2 40E

3 On page 1, line 2, of the Joint Appropriations bill, after "Facility" delete " and the demolition of
4 Julian Hall and the Julian Hall Addition to the University of South Dakota, to make an appropriation
5 therefor, and to declare an emergency"

6 On page 1, line 8, of the Joint Appropriations bill, after "Dakota" delete ", including any heating,
7 air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping,
8 architectural and engineering services, asbestos abatement, and any other services or actions
9 required to accomplish the project, for an estimated cost of twenty-two million dollars, subject to
10 any adjustments authorized in section 3 of this Act"

11 On page 1, line 13, of the Joint Appropriations bill, after "Act." delete "Section 2. There is
12 hereby appropriated to the Board of Regents from the higher education facilities fund allocable to
13 the University of South Dakota, the sum of five million dollars (\$5,000,000), or so much thereof as
14 may be necessary; the sum of seven million five hundred thousand dollars (\$7,500,000), or so much
15 thereof as may be necessary, from revenue bonds authorized by subdivision (7) of section 2 of
16 chapter 107 of the 2012 Session Laws; the general fund sum of five million dollars (\$5,000,000),
17 or so much thereof as may be necessary; and the sum of four million five hundred thousand dollars
18 (\$4,500,000), or so much thereof as may be necessary, in other fund expenditure authority,
19 together with any additional sums received pursuant to section 5 of this Act to cover any
20 adjustments authorized in section 3 of this Act."

21 On page 1, line 23, of the Joint Appropriations bill, after "Act." delete "Section 3. The cost
22 estimates contained in this Act are stated in terms of 2019 values. The Board of Regents may adjust
23 the cost estimates to reflect the inflation as measured by the Building Cost Index, reported by the
24 Engineering News Record and additional expenditures required to comply with regulations adopted
25 after the effective date of this Act, or additional sums received pursuant to section 5 of this Act. Any
26 adjustments to construction cost estimates for the project may not exceed one hundred twenty-five
27 percent of the estimated project construction cost stated in section 1 of this Act."

28 On page 2, line 4, of the Joint Appropriations bill, after "Act." delete "Section 4. The acquisition,
29 construction, completion, maintenance and equipping of the Allied Health Facility by the Building
30 Authority being in the public interest, the South Dakota Building Authority may finance up to twelve
31 million five hundred thousand dollars of the design and construction costs of the Allied Health Facility
32 through the issuance of revenue bonds, in accordance with this Act and chapter 5-12."

33 On page 2, line 9, of the Joint Appropriations bill, after "5-12." delete "Section 5. The Board of
34 Regents may accept, transfer, and expend any funds obtained for the projects authorized in this Act
35 from federal sources, donations, or any other external sources, all of which comprise a special fund
36 for the benefitted project. All moneys deposited into that fund are hereby appropriated to the
37 projects authorized by this Act, subject to limitations stated in sections 1 to 3, inclusive, of this Act."

38 On page 2, line 14, of the Joint Appropriations bill, after "Act." delete "Section 6. The Board of
39 Regents may demolish, remove, and dispose of the structures known as Julian Hall, consisting of
40 approximately fifty thousand one hundred and seventy-three square feet, and the Julian Hall
41 Addition, consisting of approximately forty-three thousand three hundred eighty-three square feet,
42 at the University of South Dakota. This project includes demolition, abatement of asbestos or any
43 other hazardous materials, lawful disposal of the fixtures or rubble, and any other action reasonably
44 necessary to prepare the lot for the construction of a parking lot for the Allied Health Facility
45 authorized in section 1 of this Act."

46 On page 2, line 21, of the Joint Appropriations bill, after "Act." delete "Section 7. The
47 administration of the design and construction of the project authorized in this Act shall be under the
48 general charge and supervision of the Bureau of Administration as provided in chapter 5-14."

49 On page 2, line 24, of the Joint Appropriations bill, after "5-14." delete "Section 8. The
50 executive director of the Board of Regents shall approve vouchers and the state auditor shall draw
51 warrants to pay expenditures authorized by this Act."

On page 2, line 26, of the Joint Appropriations bill, after "Act." delete "Section 9. Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8."

On page 2, line 28, of the Joint Appropriations bill, after "4-8." delete "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 3, line 1, of the Joint Appropriations bill, after "state." delete "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."

On page 3, line 5, of the Joint Appropriations bill, after "law." delete "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)."

On page 3, line 8, of the Joint Appropriations bill, after "(\$4,500,000)." delete "Section 13. 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."

Which motion prevailed.

The question being "Shall **SB 40** pass as amended?"

And the roll being called:

Yeas 44, Nays 23, Excused 3, Absent 0

Yeas:

Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Chaffee, Chase, Cwach, Dennert, Deutsch, Diedrich, Duba, Duvall, Finck, Goodwin, Hansen, Healy, Hunhoff, Kevin Jensen, Johns, David Johnson, Koth, Lesmeister, McCleerey, Miskimins, Olson, Herman Otten, Overweg, Kent Peterson, Sue Peterson, Qualm, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Sullivan, Wangsness, Willadsen, York, and Zikmund

Nays:

Brunner, Frye-Mueller, Gosch, Lana Greenfield, Gross, Howard, Chris Johnson, Karr, Latterell, Livermont, Marty, Mills, Milstead, Mulally, Perry, Pischke, Post, Randolph, Rasmussen, Steele, Weis, Wiese, and Speaker Haugaard

Excused:

Glanzer, Hammock, and Pourier

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 when we adjourn today, we adjourn to convene at 11:00 a.m., Tuesday, March 10, 2020, the 34th legislative day.

Which motion prevailed.

1

COMMEMORATIONS

2

Rep. Steele objected to the approval of **HC 8029** pursuant to Joint Rule 6H-4.

3

The Speaker announced that **HC 8029** was disapproved.

4

SIGNING OF BILLS

5

The Speaker publicly read the title to

6

HB 1069: FOR AN ACT ENTITLED, An Act to authorize certain veterans to attend courses offered at postsecondary technical institutes without payment of tuition.

7

8

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

9

10

HB 1089: FOR AN ACT ENTITLED, An Act to provide for the discharge of certain persons who received a suspended imposition of sentence for a misdemeanor.

11

12

HB 1103: FOR AN ACT ENTITLED, An Act to authorize the forensic medical examination of certain minor victims without parental or guardian consent.

13

14

HB 1108: FOR AN ACT ENTITLED, An Act to adopt the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act.

15

16

HB 1117: FOR AN ACT ENTITLED, An Act to repeal and revise certain provisions regarding riot, to establish the crime of incitement to riot, and to revise provisions regarding civil liability for riot and riot boosting.

17

18

19

HB 1123: FOR AN ACT ENTITLED, An Act to revise provisions regarding termination of a lease by a victim of alleged domestic abuse.

20

21

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.

22

23

HB 1154: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding motor vehicle license plates.

24

25

HB 1259: FOR AN ACT ENTITLED, An Act to clarify provisions regarding the discretionary formula for determining the assessed value of property for tax purposes.

26

27

HB 1264: FOR AN ACT ENTITLED, An Act to revise provisions regarding the procurement of public improvements.

28

29

SB 56: FOR AN ACT ENTITLED, An Act to authorize the collection of certain search and rescue service costs.

30

31

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

32

33

SB 61: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding a municipal office nominating petition.

34

34

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

35

36

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

37

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

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

4 Rep. Steele moved that the House do now adjourn, which motion prevailed and at 8:16 p.m.
5 the House adjourned.

6 Mary Lou Goehring, Chief Clerk