

JOURNAL OF THE HOUSE

EIGHTY-SEVENTH SESSION

TWENTY-SIXTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, February 23, 2012

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

The prayer was offered by the Chaplain, Pastor Mercy Hobbs, followed by the Pledge of Allegiance led by House pages James Updike and Hannah Zylstra.

Roll Call: All members present except Reps. Elliott and Stricherz who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the twenty-fifth 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,
Val Rausch, Chair

Which motion prevailed.

1

REPORTS OF STANDING COMMITTEES

2 MR. SPEAKER:

3 The Committee on Agriculture and Natural Resources respectfully reports that it has had
4 under consideration SB 169 and returns the same with the recommendation that said bill do
5 pass.

6 Also MR. SPEAKER:

7 The Committee on Agriculture and Natural Resources respectfully reports that it has had
8 under consideration HCR 1012 and returns the same with the recommendation that said
9 resolution be adopted.

10 Also MR. SPEAKER:

11 The Committee on Agriculture and Natural Resources respectfully reports that it has had
12 under consideration SB 160 which was tabled.

13 Also MR. SPEAKER:

14 The Committee on Agriculture and Natural Resources respectfully reports that it has had
15 under consideration HCR 1013 which was deferred to the 41st Legislative Day.

16 Respectfully submitted,
17 Kim Vanneman, Chair

18 Also MR. SPEAKER:

19 The Committee on Local Government respectfully reports that it has had under
20 consideration SB 75 and 101 and returns the same with the recommendation that said bills do
21 pass.

22 Respectfully submitted,
23 Mark Kirkeby, Chair

1 **MESSAGES FROM THE SENATE**

2 MR. SPEAKER:

3 I have the honor to return herewith HB 1039, 1064, 1095, 1097, 1114, 1121, 1125, 1160,
4 1194, 1245, and 1229 which have passed the Senate without change.

5 Also MR. SPEAKER:

6 I have the honor to return herewith HCR 1010 in which the Senate has concurred.

7 Also MR. SPEAKER:

8 I have the honor to return herewith HB 1066, 1131, and 1227 which have been amended
9 by the Senate and your concurrence in the amendments is respectfully requested.

10 Respectfully,
11 Fee Jacobsen, Secretary

12 **MOTIONS AND RESOLUTIONS**

13 Rep. Deelstra moved that the House do concur in Senate amendments to HB 1263.

14 The question being on Rep. Deelstra's motion that the House do concur in Senate
15 amendments to HB 1263.

16 And the roll being called:

17 Yeas 65, Nays 0, Excused 5, Absent 0

18 Yeas:

19 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
20 Dryden; Fargen; Feickert; Feinstein; Gibson; Gosch; Haggar; Hansen (Jon); Hawley; Hickey;
21 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby;
22 Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Moser; Munsterman; Nelson (Stace);
23 Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer; Schrempp;
24 Scott; Sigdestad; Sly; Solum; Steele; Street; Tornow; Tulson; Turbiville; Van Gerpen;
25 Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer

26 Excused:

27 Elliott; Greenfield; Miller; Stricherz; Speaker Rausch

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

3 SCR 6: A CONCURRENT RESOLUTION, Urging the government of Turkey to uphold
4 and safeguard religious and human rights and to respect the property rights and human rights
5 of the Ecumenical Patriarchate.

6 Rep. Hansen moved that SCR 6 as found on page 465 of the Senate Journal be concurred
7 in.

8 The question being on Rep. Hansen's motion that SCR 6 be concurred in.

9 And the roll being called:

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

11 Yeas:

12 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
13 Dryden; Fargen; Feickert; Feinstein; Gibson; Gosch; Haggar; Hansen (Jon); Hawley; Hickey;
14 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby;
15 Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson
16 (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer;
17 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Tornow; Tulson; Turbiville; Van
18 Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

19 Excused:

20 Elliott; Greenfield; Stricherz

21 So the motion having received an affirmative vote of a majority of the members-elect, the
22 Speaker declared the motion carried and SCR 6 was concurred in.

23 HCR 1014 Introduced by: Representatives Iron Cloud III, Abdallah, Blake, Dennert, Elliott,
24 Fargen, Feickert, Feinstein, Gibson, Hawley, Hickey, Hubbel, Hunhoff (Bernie), Hunt, Jones,
25 Killer, Kirkeby, Kirschman, Kloucek, Lucas, Lust, Moser, Nelson (Stace), Perry, Rausch,
26 Russell, Schrempp, Sigdestad, Solum, Street, Stricherz, Turbiville, Van Gerpen, Verchio, and
27 Wismer and Senators Bradford, Adelstein, Begalka, Frerichs, Holien, Juhnke, Lederman,
28 Maher, Nygaard, Olson (Russell), Putnam, Sutton, Tidemann, and Vehle

29 A CONCURRENT RESOLUTION, Urging the United States Department of Veterans Affairs
30 to reconsider its proposed closure of certain VA facilities in Hot Springs.

31 WHEREAS, America's veterans from all walks of life have risked their lives and well-being
32 to support and defend the principles upon which our country was founded. In return for their
33 sacrifices, the United States government has committed itself to providing health care and other
34 benefits for our veterans; and

1 WHEREAS, the United States Department of Veterans Affairs recently proposed major
2 revisions to the VA Black Hills Health Care System that would essentially result in the closure
3 of the VA Hospital in Hot Springs, one of the top VA facilities in the nation, along with revised
4 services in other locations in the Black Hills area; and

5 WHEREAS, the proposed changes would result in the closure of the Hot Springs VA
6 Domiciliary and inpatient hospital and nursing home services, with services to be moved to
7 Rapid City and Fort Meade in Sturgis or served on a contractual basis by other private facilities
8 in the area, leaving Hot Springs with only a VA outpatient clinic and the task of finding
9 alternative uses for the existing buildings and structures; and

10 WHEREAS, many veterans have expressed satisfaction with the care they receive at the VA
11 facilities in Hot Springs and often attribute part of the quality of their care to the facility's rural
12 environment and setting. In addition, many veterans in southwestern South Dakota and
13 northwestern Nebraska, both Native American and non-Native, will find themselves dealing with
14 longer travel times and inconvenience in exchange for little, if any, improvement in health care
15 under the proposed changes. For many veterans in the area, the VA represents their last resort
16 for quality health care, but the increased distances and travel costs to use facilities in Rapid City
17 or Fort Meade will cause serious hardship; and

18 WHEREAS, the proposed revisions to the VA Black Hills Health Care System are likely to
19 have severe economic and social impacts on the community of Hot Springs. It is estimated that
20 the current 1,062 Black Hills Health Care System employees will be reduced to 325 over the next
21 eight years, which will negatively affect the city's employment and housing markets, as well as
22 its overall economy; and

23 WHEREAS, the current domiciliary facility is a National Historic Landmark, dating back
24 more than one hundred years, with construction on the main hospital building beginning in 1925.
25 These facilities, along with the State Veterans Home, are a central part of the history of Hot
26 Springs and its identity as a veterans' community; and

27 WHEREAS, South Dakota's congressional delegation, Senator Tim Johnson, Senator John
28 Thune, and Representative Kristi Noem, have joined to express concern to the Department of
29 Veterans Affairs over the proposed changes and addressed a series of detailed questions to the
30 VA about the impacts of the proposed revisions; and

31 WHEREAS, South Dakota's citizens, both Native American and non-Native, have
32 consistently displayed high rates of military service and participation throughout the history of
33 this state. They have put personal convenience and comfort aside to serve their country, and they
34 deserve the high quality health care benefits that were promised to them as a part of their military
35 commitment:

36 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
37 seventh Legislature of the State of South Dakota, the Senate concurring therein, that the South
38 Dakota Legislature expresses its extreme concern with the proposed revisions by the United
39 States Department of Veterans Affairs to the VA Black Hills Health Care System, particularly
40 the proposed closure of the VA Domiciliary and hospital at Hot Springs. The Legislature requests

1 the Department of Veterans Affairs to reconsider its proposal and to maintain operations of its
2 facilities in Hot Springs; and

3 BE IT FURTHER RESOLVED, that the United States Congress and the Department of
4 Veterans Affairs are strongly urged to ensure that the VA health care facilities in Hot Springs,
5 as well as the VA facilities throughout the VA Black Hills Health Care System, are fully funded.

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

7 HCR 1015 Introduced by: Representatives Nelson (Stace), Hickey, Hubbel, Jensen, Kopp,
8 Miller, Olson (Betty), Russell, Sigdestad, Steele, Tornow, Venner, and Verchio and Senators
9 Rampelberg, Adelstein, Begalka, Nelson (Tom), Putnam, and Rhoden

10 A CONCURRENT RESOLUTION, Urging the federal government to secure our national
11 borders and enforce United States immigration laws.

12 WHEREAS, the crisis of illegal immigration in the United States impacts tens of millions
13 of Americans in many different adverse ways; and

14 WHEREAS, there are reportedly twelve million illegal aliens and counting who are living
15 and working in the United States illegally; and

16 WHEREAS, the federal government's failure to fulfill its responsibility in the area of illegal
17 immigration, during both Democratic and Republican administrations, has led to the crisis we
18 now face; and

19 WHEREAS, as citizens, we must respect the institution of government and its just laws, but
20 at the same time, we have a right to expect the government to fulfill its ordained mandate to
21 enforce the laws of our country; and

22 WHEREAS, we hold that our federal government has failed to control the borders and failed
23 in its responsibility to enforce the immigration laws on persons here illegally and on the
24 employers who knowingly exploit them or employ them to the detriment of legal workers; and

25 WHEREAS, our borders have become a virtual highway for illegal immigrants from around
26 the world which has allowed terrorists unfettered access to our country and state, creating a grave
27 security threat to all Americans; and

28 WHEREAS, people are coming directly in the United States of America with no medical
29 screening whatsoever and transitioning directly into our population, creating a biosecurity threat
30 for both human and animal health; and

31 WHEREAS, many of these illegal aliens are being exploited by employers and others in
32 society; and

33 WHEREAS, we hold that our government was instituted to secure the blessings of freedom,
34 that exploitation of illegal aliens is an unqualified evil and the antithesis of freedom; and

1 WHEREAS, illegal immigration is an unmitigated threat and an affront to South Dakotans:

2 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
3 seventh Legislature of the State of South Dakota, the Senate concurring therein, that the South
4 Dakota Legislature urges Congress and the President of the United States to immediately provide
5 for the security of our nation by controlling and securing our national borders; and

6 BE IT FURTHER RESOLVED, that we urge the federal government to enforce all
7 immigration laws, including the laws directed at employers who knowingly hire illegal
8 immigrants or who are unjustly paying these immigrants substandard wages or subjecting them
9 to conditions that are contrary to the labor laws of our country; and

10 BE IT FURTHER RESOLVED, that we stand in support of other states who have enacted
11 state laws in attempts to protect their citizens, and the exploited, from the effects of illegal
12 immigration.

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

14 HCR 1016 Introduced by: Representatives Cronin, Carson, Dennert, Fargen, Gosch,
15 Hoffman, Hunhoff (Bernie), Hunt, Lust, Moser, Rausch, Sly, Street, Vanneman, Wick, and Wink
16 and Senators Brown, Buhl, Gray, Haverly, Juhnke, Novstrup (Al), Olson (Russell), Schlekeway,
17 and Sutton

18 A CONCURRENT RESOLUTION, Concerning endorsement of Taiwan's participation as
19 observer in the International Civil Aviation Organization (ICAO) and United Nations
20 Framework Convention on Climate Change (UNFCCC), and the 28th anniversary of sister
21 state relations with the Province of Taiwan in the Republic of China (Taiwan).

22 WHEREAS, civil aviation plays a pivotal role in promoting cultural exchange, business,
23 trade, and tourism; and

24 WHEREAS, to develop international civil aviation in a safe and orderly manner is the
25 supreme cause of the International Civil Aviation Organization (ICAO); and

26 WHEREAS, Taiwan posted brilliant GDP growth of 10.88 percent for 2010, the 16th largest
27 merchandise exporter in 2010 and a key air transport hub linking Northeast and Southeast Asia;
28 and

29 WHEREAS, over 174,000 international flights travel to and from Taiwan, with foreign
30 passengers making around 3.8 million trips to the island every year, and over 35 million
31 passengers, including 25.39 million passengers on international flights, arrived and departed
32 from Taiwan's airports in 2008; and

33 WHEREAS, without Taiwan's participation, international flight plans, regulations, and
34 procedures that the ICAO formulates will be incomplete and unsafe; and

1 WHEREAS, on December 7, 1984, the State of South Dakota and the Taiwan Province of
2 the Republic of China (Taiwan) jointly established the sister state relationship to promote
3 international understanding and goodwill and to strengthen a greater friendship between the
4 residents of South Dakota and Taiwan; and

5 WHEREAS, over the past 28 years, the bonds of the true friendship and steadfast trade
6 partnership between South Dakota and Taiwan have strengthened, resulting in a better economic,
7 social, and cultural exchange between the two; and

8 WHEREAS, every other year, Taiwan has sent an agricultural trade goodwill mission to
9 South Dakota to demonstrate Taiwan's continuing goodwill and willingness to purchase South
10 Dakota agricultural products and the South Dakota agricultural industry has benefitted greatly
11 over the past two decades from the sale of beef, wheat, and corn to Taiwan; and

12 WHEREAS, the commercial interaction between the State of South Dakota and Taiwan has
13 grown substantially with each passing year, resulting in increased economic growth for both
14 Taiwan and South Dakota. In 2009, South Dakota exported goods to Taiwan were valued at 4.9
15 million dollars:

16 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
17 seventh Legislature of the State of South Dakota, the Senate concurring therein, that the 2012
18 Legislative Session endorses Taiwan's participation in the International Civil Aviation
19 Organization as observer; and

20 BE IT FURTHER RESOLVED, that the 2012 Legislative Session is supportive of all efforts
21 to grant Taiwan official observer status at the United Nations Framework Convention on Climate
22 Change (UNFCCC), because climate change has become a global challenge; and

23 BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the United
24 States Secretary of State, the United States Secretary of Transportation, and to each member of
25 the South Dakota congressional delegation, and to Director General Jack J.C. Yang of the Taipei
26 Economic and Cultural Office in Kansas City.

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

28 HCR 1017 Introduced by: Representatives Hubbel, Bolin, Brunner, Cronin, Deelstra,
29 Greenfield, Haggar, Hansen (Jon), Hickey, Hoffman, Jensen, Kirkeby, Kopp, Liss, Miller,
30 Nelson (Stace), Olson (Betty), Russell, Schaefer, Steele, Stricherz, Tornow, Tulson, Venner,
31 Verchio, and Wick and Senators Lederman and Holien

32 A CONCURRENT RESOLUTION, Expressing opposition to a state run health care system that
33 is established or operated contrary to the interests of the people of South Dakota.

34 WHEREAS, the people of South Dakota do not want individual or employer insurance
35 mandates imposed on them by the state and costs of a state run health system have multiplied and
36 led states to ask for bailout assistance from the federal government; and

1 WHEREAS, the people of South Dakota insist on access to a wide variety of public and
2 private health insurance companies and plans and are opposed to a health care exchange that
3 allows only a small number of non-profit health insurance companies; and

4 WHEREAS, the people of South Dakota want to remain free to see any doctor they choose
5 and want their doctors to be free to prescribe the most appropriate treatments within contracts
6 with the state or insurance carriers; and

7 WHEREAS, the people of South Dakota want to retain control of their personal data and
8 keep it out of state run data systems where information can be accessed or transferred to private
9 and government agencies without express permission from the individual before each transfer:

10 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
11 seventh Legislature of the State of South Dakota, the Senate concurring therein, the Legislature
12 expresses opposition to a state run health care system that is established or operated contrary to
13 these and other interests of the people of South Dakota.

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

15 HCR 1018 Introduced by: Representatives Brunner, Blake, Boomgarden, Carson, Conzet,
16 Deelstra, Dennert, Fargen, Feickert, Feinstein, Gibson, Haggar, Hawley, Hickey, Hoffman,
17 Hubbel, Hunhoff (Bernie), Iron Cloud III, Jensen, Jones, Killer, Kirkeby, Kirschman, Kloucek,
18 Kopp, Liss, Lucas, Lust, Miller, Moser, Munsterman, Novstrup (David), Olson (Betty), Rausch,
19 Schaefer, Schrempf, Scott, Sigdestad, Sly, Solum, Steele, Stricherz, Turbiville, Vanneman,
20 Venner, Verchio, Wick, Willadsen, and Wismer and Senators Juhnke, Adelstein, Begalka,
21 Bradford, Buhl, Frerichs, Fryslie, Hansen (Tom), Holien, Hunhoff (Jean), Johnston, Kraus,
22 Novstrup (Al), Nygaard, Peters, Putnam, Sutton, Tidemann, Tieszen, and Vehle

23 A CONCURRENT RESOLUTION, Urging Congress to restore the impact aid program.

24 WHEREAS, impact aid is the oldest elementary-secondary federal education program
25 administered by the Department of Education to offset property tax revenue to local educational
26 agencies due to federal government acquisition of previously taxable properties; and

27 WHEREAS, property taxes paid by American families, individuals, businesses, farms, and
28 all other property owners, as well as impact aid funding, support local educational agencies and
29 the thousands of students served by those local educational agencies; and

30 WHEREAS, the financial obligation to local educational agencies and the students they serve
31 remains regardless of property owner, date of acquisition, or use of property; and

32 WHEREAS, the impact aid program provides reimbursement to local educational agencies
33 for Indian lands, military bases, low rent housing, and/or other federal property to make up lost
34 tax revenue due to the non-taxable federal ownership status; and

1 WHEREAS, existing property owners in affected local agencies already bear a significant
2 burden in financial support of local educational agencies due to federal acquisition of private
3 lands; and

4 WHEREAS, raising additional local tax revenue to support local educational agencies is
5 unrealistic and overly burdensome on local taxpayers; and

6 WHEREAS, South Dakota has thirty-eight local educational agencies which apply for impact
7 aid funding due to the federal presence; and

8 WHEREAS, South Dakota local educational agencies qualify under all subsections of the
9 impact aid law; and

10 WHEREAS, impact aid funding is of critical importance in providing quality educational
11 opportunities for the more than 37,500 students educated in these thirty-eight local educational
12 agencies; and

13 WHEREAS, each generation of students on that generation's educational journey deserves
14 the same opportunities to enrich the students' lives through education, and impact aid funding
15 is a key component in providing those educational opportunities; and

16 WHEREAS, it is the federal government's obligation to rectify the negative financial impact
17 its presence has caused:

18 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
19 seventh Legislature of the State of South Dakota, the Senate concurring therein, that the
20 Legislature strongly opposes the elimination of section 8002 of the impact aid program by the
21 President's Administration and advocates for the continuation of federal funding for this specific
22 federal responsibility as has been the standard for more than sixty years; requests, in order to
23 alleviate the local tax payer burden caused by federal land ownership, full funding by the federal
24 government for all sections of the impact aid program; and requests the impact aid program be
25 reauthorized this year either as part of the ESEA reauthorization or as a stand-alone bill.

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

27 Rep. Lust moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
28 Friday, February 24, the 27th legislative day.

29 Which motion prevailed.

30 **CONSIDERATION OF REPORTS OF COMMITTEES**

31 Rep. Lust moved that the reports of the Standing Committees on

32 State Affairs on SB 123 as found on page 542 of the House Journal; also

1 State Affairs on SB 174 as found on page 543 of the House Journal; also
2 State Affairs on SB 106 as found on page 543 of the House Journal; also
3 Education on SB 186 as found on page 544 of the House Journal be adopted.
4 Which motion prevailed.

5 **SECOND READING OF CONSENT CALENDAR ITEMS**

6 SB 71: FOR AN ACT ENTITLED, An Act to modify the requirements relating to the
7 publication of the administrative rules.

8 Was read the second time.

9 The question being "Shall SB 71 pass?"

10 And the roll being called:

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

12 Yeas:

13 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
14 Dryden; Fargen; Feickert; Feinstein; Gibson; Gosch; Haggar; Hansen (Jon); Hawley; Hickey;
15 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby;
16 Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson
17 (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer;
18 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Tornow; Tulson; Turbiville; Van
19 Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

20 Excused:

21 Elliott; Greenfield; Stricherz

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

24 SB 103: FOR AN ACT ENTITLED, An Act to revise the procedure for cooperatives giving
25 notice to persons whose records are missing regarding ownership of securities, apportionment
26 of equity interest, money, or property.

27 Was read the second time.

28 The question being "Shall SB 103 pass as amended?"

29 And the roll being called:

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

2 Yeas:

3 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
4 Dryden; Fargen; Feickert; Feinstein; Gibson; Gosch; Haggar; Hansen (Jon); Hawley; Hickey;
5 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby;
6 Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson
7 (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer;
8 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Tornow; Tulson; Turbiville; Van
9 Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

10 Excused:

11 Elliott; Greenfield; Stricherz

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

14 SB 112: FOR AN ACT ENTITLED, An Act to remove the limitation on the number of
15 retail gaming licenses in Deadwood in which a person may have a financial interest.

16 Was read the second time.

17 Rep. Hickey requested that SB 112 be removed from the Consent Calendar.

18 Which request was granted.

19 SB 53: FOR AN ACT ENTITLED, An Act to permit the Department of Public Safety to
20 require certain accident reports to be filed by electronic means.

21 Was read the second time.

22 The question being "Shall SB 53 pass?"

23 And the roll being called:

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

25 Yeas:

26 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
27 Dryden; Fargen; Feickert; Feinstein; Gibson; Gosch; Haggar; Hansen (Jon); Hawley; Hickey;
28 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby;
29 Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson
30 (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer;
31 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Tornow; Tulson; Turbiville; Van
32 Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

1 Excused:
2 Elliott; Greenfield; Stricherz

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

5 48bc

6 Rep. Hunhoff moved that SB 48 be amended as follows:

7 On page 1 of the Senate engrossed bill, delete lines 4 to 10, inclusive.

8 A roll call vote was requested and supported.

9 The question being on Rep. Hunhoff's motion that SB 48 be amended.

10 And the roll being called:

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

12 Yeas:
13 Blake; Dennert; Feickert; Feinstein; Gibson; Hansen (Jon); Hawley; Hubbel; Hunhoff (Bernie);
14 Iron Cloud III; Jones; Killer; Kirschman; Kloucek; Kopp; Liss; Lucas; Nelson (Stace); Russell;
15 Schrempp; Sigdestad; Steele; Street; Tornow; Venner; Wismer

16 Nays:
17 Abdallah; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dryden; Fargen;
18 Gosch; Haggart; Hickey; Hoffman; Hunt; Jensen; Kirkeby; Lust; Magstadt; Miller; Moser;
19 Munsterman; Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Schaefer; Scott; Sly;
20 Solum; Tulson; Turbiville; Van Gerpen; Vanneman; Verchio; White; Wick; Willadsen; Wink;
21 Speaker Rausch

22 Excused:
23 Elliott; Greenfield; Stricherz

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

1 48ta

2 Rep. Nelson moved that SB 48 be amended as follows:

3 On page 6, between lines 11 and 12 of the Senate engrossed bill, insert:

4 " Section 20. That section 16 of chapter 23 of the 2011 Session Laws be amended to read as
5 follows:

6 DEPARTMENT OF VETERANS' AFFAIRS

7 (1) Veterans' Benefits and Services

8 Operating Expenses, General Funds, delete "\$159,991" and insert "\$ 326,991"

9 Adjust all totals accordingly."

10 Rep. Willadsen moved that Rep. Nelson's motion to amend SB 48 be laid on the table.

11 Rep. Willadsen's motion prevailed.

12 The question being "Shall SB 48 pass as amended?"

13 And the roll being called:

14 Yeas 48, Nays 17, Excused 5, Absent 0

15 Yeas:

16 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
17 Dryden; Fargen; Feickert; Gibson; Gosch; Haggar; Hawley; Hickey; Hoffman; Hunt; Kirkeby;
18 Kopp; Lust; Magstadt; Moser; Munsterman; Novstrup (David); Olson (Betty); Perry; Romkema;
19 Rozum; Schaefer; Scott; Sigdestad; Sly; Solum; Street; Tulson; Turbiville; Van Gerpen;
20 Vanneman; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

21 Nays:

22 Feinstein; Hansen (Jon); Hubbel; Hunhoff (Bernie); Iron Cloud III; Jones; Killer; Kirschman;
23 Kloucek; Liss; Lucas; Miller; Nelson (Stace); Russell; Schrempp; Steele; Tornow

24 Excused:

25 Elliott; Greenfield; Jensen; Stricherz; Venner

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

1 SB 192: FOR AN ACT ENTITLED, An Act to make appropriations for the purpose of one-
2 time increases in education and health care funding.

3 Was read the second time.

4 192mb

5 Rep. Dennert moved that SB 192 be amended as follows:

6 On page 1, line 4, of the printed bill, delete "three million nine" and insert "twelve million
7 three hundred seventy-four thousand three hundred thirteen dollars (\$12,374,313), or so much
8 thereof".

9 On page 1, delete line 5.

10 On page 1, delete lines 12 to 15, inclusive.

11 Rep. Cronin moved the previous question.

12 Which motion prevailed.

13 A roll call vote was requested and supported.

14 The question being on Rep. Dennert's motion that SB 192 be amended.

15 And the roll being called:

16 Yeas 37, Nays 30, Excused 3, Absent 0

17 Yeas:

18 Blake; Bolin; Deelstra; Dennert; Fargen; Feickert; Feinstein; Gibson; Hansen (Jon); Hawley;
19 Hickey; Hubbel; Hunhoff (Bernie); Iron Cloud III; Jensen; Jones; Killer; Kirschman; Kloucek;
20 Kopp; Liss; Lucas; Miller; Nelson (Stace); Olson (Betty); Russell; Schaefer; Schrempp;
21 Sigdestad; Solum; Steele; Street; Tornow; Tulson; Van Gerpen; Venner; Wismer

22 Nays:

23 Abdallah; Boomgarden; Brunner; Carson; Conzet; Cronin; Dryden; Gosch; Haggar; Hoffman;
24 Hunt; Kirkeby; Lust; Magstadt; Moser; Munsterman; Novstrup (David); Perry; Romkema;
25 Rozum; Scott; Sly; Turbiville; Vanneman; Verchio; White; Wick; Willadsen; Wink; Speaker
26 Rausch

27 Excused:

28 Elliott; Greenfield; Stricherz

1 So the motion having received an affirmative vote of a majority of the members present,
2 the Speaker declared the motion carried, and SB 192 was so amended.

3 Rep. Wink moved that SB 192 be deferred to Friday, February 24, the 27th legislative day.

4 Rep. Lucas called for a division of the House.

5 The Speaker declared Rep. Wink's motion prevailed.

6 SB 194: FOR AN ACT ENTITLED, An Act to make an appropriation to fund tax refunds
7 for elderly persons and persons with a disability, to revise the income eligibility requirements for
8 property tax and sales tax refunds, and to declare an emergency.

9 Was read the second time.

10 The question being "Shall SB 194 pass?"

11 And the roll being called:

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

13 Yeas:

14 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
15 Dryden; Fargen; Feickert; Feinstein; Gibson; Gosch; Haggar; Hansen (Jon); Hawley; Hickey;
16 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby;
17 Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson
18 (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer;
19 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Tornow; Tulson; Turbiville; Van
20 Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

21 Excused:

22 Elliott; Greenfield; Stricherz

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

25 SB 195: FOR AN ACT ENTITLED, An Act to make appropriations from the water and
26 environment fund, the water pollution control revolving fund subfund, and the drinking water
27 revolving fund subfund for various water and environmental purposes, to revise the state water
28 plan, to authorize the construction and establish the state cost share for the Belle Fourche
29 irrigation upgrade project, and to declare an emergency.

30 Was read the second time.

1 The question being "Shall SB 195 pass?"

2 And the roll being called:

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

4 Yeas:

5 Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden;
6 Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey;
7 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirschman;
8 Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace);
9 Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer; Schrempp; Scott;
10 Sigdestad; Sly; Solum; Steele; Street; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman;
11 Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

12 Excused:

13 Abdallah; Elliott; Kirkeby; Stricherz

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

16 SB 191: FOR AN ACT ENTITLED, An Act to provide for authorization to offer
17 postsecondary education services in South Dakota.

18 Was read the second time.

19 The question being "Shall SB 191 pass as amended?"

20 And the roll being called:

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

22 Yeas:

23 Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden;
24 Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey;
25 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirschman;
26 Kloucek; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup
27 (David); Olson (Betty); Perry; Romkema; Rozum; Schaefer; Schrempp; Scott; Sigdestad; Sly;
28 Solum; Steele; Street; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman; Venner; Verchio;
29 White; Wick; Willadsen; Wink; Wismer; Speaker Rausch

30 Nays:

31 Kopp; Russell

32 Excused:

33 Abdallah; Elliott; Kirkeby; Stricherz

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

3 SB 108: FOR AN ACT ENTITLED, An Act to revise the maximum bet limit for Deadwood
4 gaming.

5 Was read the second time.

6 Rep. Cronin moved the previous question.

7 Which motion prevailed.

8 The question being "Shall SB 108 pass?"

9 And the roll being called:

10 Yeas 39, Nays 29, Excused 2, Absent 0

11 Yeas:

12 Abdallah; Boomgarden; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden; Fargen; Feinstein;
13 Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hoffman; Jones; Killer; Kirkeby; Kirschman;
14 Liss; Lust; Munsterman; Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Sigdestad;
15 Solum; Street; Tornow; Tulson; Turbiville; Vanneman; White; Willadsen; Wink; Speaker
16 Rausch

17 Nays:

18 Blake; Bolin; Brunner; Feickert; Gibson; Hickey; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud
19 III; Jensen; Kloucek; Kopp; Lucas; Magstadt; Miller; Moser; Nelson (Stace); Russell; Schaefer;
20 Schrempp; Scott; Sly; Steele; Van Gerpen; Venner; Verchio; Wick; Wismer

21 Excused:

22 Elliott; Stricherz

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

25 SB 157: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to outdoor
26 advertising signs.

27 Was read the second time.

1 157fa

2 Rep. Jensen moved that SB 157 be amended as follows:

3 On page 2 of the printed bill, delete lines 18 to 23, inclusive.

4 Rep. Cronin moved the previous question.

5 Which motion prevailed.

6 A roll call vote was requested and supported.

7 The question being on Rep. Jensen's motion that SB 157 be amended.

8 And the roll being called:

9 Yeas 30, Nays 38, Excused 2, Absent 0

10 Yeas:

11 Abdallah; Brunner; Conzet; Dryden; Gosch; Haggar; Hickey; Hoffman; Hubbel; Hunhoff
12 (Bernie); Hunt; Jensen; Killer; Kirkeby; Kloucek; Kopp; Lust; Miller; Moser; Olson (Betty);
13 Romkema; Sly; Steele; Tornow; Turbiville; Van Gerpen; Venner; Verchio; White; Wink

14 Nays:

15 Blake; Bolin; Boomgarden; Carson; Cronin; Deelstra; Dennert; Fargen; Feickert; Feinstein;
16 Gibson; Greenfield; Hansen (Jon); Hawley; Iron Cloud III; Jones; Kirschman; Liss; Lucas;
17 Magstadt; Munsterman; Nelson (Stace); Novstrup (David); Perry; Rozum; Russell; Schaefer;
18 Schrempp; Scott; Sigdestad; Solum; Street; Tulson; Vanneman; Wick; Willadsen; Wismer;
19 Speaker Rausch

20 Excused:

21 Elliott; Stricherz

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

1 157fb

2 Rep. Kirkeby moved that SB 157 be amended as follows:

3 On page 2 of the printed bill, delete lines 18 to 23, inclusive, and insert:

4 " Section 2. That § 31-29-69 be amended to read as follows:

5 31-29-69. Nothing in §§ 31-29-61 to 31-29-83, inclusive, authorizes any local authority to
6 prohibit outdoor advertising throughout its jurisdiction. However, any ~~such~~ local authority may
7 regulate and control outdoor advertising if the regulation and control shall be is reasonable and
8 reasonably related to the needs of the business community to adequately and properly advertise
9 its goods and services of benefit to the traveling public. No local authority may impose
10 regulations on advertising technology that are more stringent than the standards and criteria
11 provided in § 31-29-66."

12 A roll call vote was requested and supported.

13 The question being on Rep. Kirkeby's motion that SB 157 be amended.

14 And the roll being called:

15 Yeas 34, Nays 33, Excused 3, Absent 0

16 Yeas:

17 Abdallah; Blake; Brunner; Conzet; Dennert; Dryden; Gosch; Haggar; Hickey; Hoffman; Hubbel;
18 Hunhoff (Bernie); Jensen; Killer; Kirkeby; Kloucek; Kopp; Lust; Magstadt; Miller; Moser;
19 Olson (Betty); Romkema; Sly; Steele; Tornow; Turbiville; Van Gerpen; Vanneman; Venner;
20 Verchio; White; Wink; Wismer

21 Nays:

22 Bolin; Boomgarden; Carson; Cronin; Deelstra; Fargen; Feickert; Feinstein; Greenfield; Hansen
23 (Jon); Hawley; Hunt; Iron Cloud III; Jones; Kirschman; Liss; Lucas; Munsterman; Nelson
24 (Stace); Novstrup (David); Perry; Rozum; Russell; Schaefer; Schrempp; Scott; Sigdestad;
25 Solum; Street; Tulson; Wick; Willadsen; Speaker Rausch

26 Excused:

27 Elliott; Gibson; Stricherz

28 So the motion having received an affirmative vote of a majority of the members present,
29 the Speaker declared the motion carried, and SB 157 was so amended.

1 The question being "Shall SB 157 pass as amended?"

2 And the roll being called:

3 Yeas 61, Nays 7, Excused 2, Absent 0

4 Yeas:

5 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Cronin; Deelstra; Dennert; Dryden;
6 Fargen; Feickert; Feinstein; Gibson; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey;
7 Hoffman; Hunhoff (Bernie); Hunt; Jensen; Jones; Killer; Kirkeby; Kirschman; Kloucek; Kopp;
8 Lucas; Magstadt; Moser; Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Perry;
9 Romkema; Rozum; Russell; Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street;
10 Tornow; Tulson; Turbiville; Van Gerpen; Vanneman; Venner; Verchio; White; Wick;
11 Willadsen; Wink; Wismer; Speaker Rausch

12 Nays:

13 Conzet; Gosch; Hubbel; Iron Cloud III; Liss; Lust; Miller

14 Excused:

15 Elliott; Stricherz

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

18 SB 68: FOR AN ACT ENTITLED, An Act to provide that no statute of limitations applies
19 to certain rape offenses.

20 Was read the second time.

21 68rc

22 Rep. Tornow moved that SB 68 be amended as follows:

23 On page 2 of the Senate Judiciary Committee engrossed bill, delete lines 7 to 12, inclusive,
24 and insert:

25 "degree, which is a Class 3 felony. Notwithstanding the provisions of § 23A-42-2 a charge
26 brought pursuant to subdivisions (1), (2), or (3) of this section may be commenced at any time
27 prior to the time the victim becomes age ~~twenty-five~~ thirty-five or within ~~seven~~ fifteen years of
28 the commission of the crime, whichever is longer. Otherwise a charge brought pursuant to this
29 section may be commenced at any time prior to the time the victim becomes of age twenty-five
30 or within seven years of the commission of the crime, whichever is longer."

31 The Speaker, being in doubt of the voice vote, called for a division of the House.

1 The Speaker declared Rep. Tornow's motion lost.

2 The question being "Shall SB 68 pass as amended?"

3 And the roll being called:

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

5 Yeas:

6 Abdallah; Blake; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden; Fargen; Feickert;
7 Feinstein; Gibson; Gosch; Haggar; Hansen (Jon); Hawley; Hickey; Hoffman; Hunhoff (Bernie);
8 Iron Cloud III; Jones; Killer; Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt;
9 Miller; Moser; Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema;
10 Rozum; Schaefer; Scott; Sigdestad; Sly; Solum; Steele; Street; Tulson; Turbiville; Van Gerpen;
11 Vanneman; White; Wick; Willadsen; Wink; Wismer

12 Nays:

13 Bolin; Boomgarden; Hubbel; Hunt; Jensen; Russell; Tornow; Venner; Verchio; Speaker Rausch

14 Excused:

15 Elliott; Greenfield; Schrempp; Stricherz

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

18 SB 78: FOR AN ACT ENTITLED, An Act to allow an arrest to be expunged when the
19 criminal case is dismissed.

20 Was read the second time.

21 The question being "Shall SB 78 pass as amended?"

22 And the roll being called:

23 Yeas 63, Nays 0, Excused 7, Absent 0

24 Yeas:

25 Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden;
26 Fargen; Feickert; Feinstein; Gibson; Gosch; Haggar; Hansen (Jon); Hawley; Hickey; Hoffman;
27 Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby; Kirschman;
28 Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup
29 (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer; Scott; Sigdestad; Sly;
30 Solum; Steele; Street; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman; Venner; Verchio;
31 White; Willadsen; Wink; Wismer; Speaker Rausch

1 Excused:
2 Abdallah; Elliott; Greenfield; Kloucek; Schrempp; Stricherz; Wick

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

5 Speaker Rausch now presiding.

6 SB 156: FOR AN ACT ENTITLED, An Act to establish strangulation as one element of
7 the crime of aggravated assault.

8 Was read the second time.

9 The question being "Shall SB 156 pass as amended?"

10 And the roll being called:

11 Yeas 63, Nays 2, Excused 5, Absent 0

12 Yeas:
13 Blake; Bolin; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden; Fargen; Feickert;
14 Feinstein; Gibson; Gosch; Haggar; Hansen (Jon); Hawley; Hickey; Hoffman; Hubbel; Hunhoff
15 (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby; Kirschman; Kloucek; Kopp; Liss;
16 Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup (David); Olson
17 (Betty); Perry; Romkema; Rozum; Russell; Schaefer; Scott; Sigdestad; Sly; Solum; Steele;
18 Street; Tulson; Turbiville; Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen;
19 Wink; Wismer; Speaker Rausch

20 Nays:
21 Boomgarden; Tornow

22 Excused:
23 Abdallah; Elliott; Greenfield; Schrempp; Stricherz

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

26 Rep. Lust moved that SB 127 be deferred to Friday, February 24, the 27th legislative day.

27 Which motion prevailed.

28 There being no objection, the House reverted to Order of Business No. 7.

1 **MESSAGES FROM THE SENATE**

2 MR. SPEAKER:

3 I have the honor to inform your honorable body that the Senate has failed to concur in
4 House amendments to SB 99 and has appointed Sens. Hansen, Nygaard, and Bradford as a
5 committee of three on the part of the Senate to meet with a like committee on the part of the
6 House to adjust the differences between the two houses.

7 Respectfully,
8 Fee Jacobsen, Secretary

9 **ANNOUNCEMENTS**

10 The Speaker appointed Reps. White, Gibson, and Sigdestad as a committee of three on the
11 part of the House to meet with a like committee on the part of the Senate to adjust the differences
12 between the two houses on SB 99.

13 There being no objection, the House reverted to Order of Business No. 5.

14 **REPORTS OF STANDING COMMITTEES**

15 MR. SPEAKER:

16 The Committee on Legislative Procedure respectfully reports that HB 1019, 1031, 1032,
17 1116, 1162, 1163, 1172, 1173, and 1233 were delivered to his Excellency, the Governor, for his
18 approval at 9:50 a.m., February 23, 2012.

19 Also MR. SPEAKER:

20 The Committee on Legislative Procedure respectfully reports that HJR 1002 was delivered
21 to his Excellency, the Secretary of State, for filing at 9:50 a.m., February 23, 2012.

1 Also MR. SPEAKER:

2 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
3 and Enrolling has carefully compared HB 1039, 1064, 1071, 1095, 1097, 1114, 1121, 1125,
4 1160, 1194, 1229, and 1245 and finds the same correctly enrolled.

5 Respectfully submitted,
6 Val Rausch, Chair

7 **SIGNING OF BILLS**

8 The Speaker publicly read the title to

9 HB 1039: FOR AN ACT ENTITLED, An Act to exempt certain impaired driving violations
10 from the statutory limitation on enhanced penalties for second, third, or subsequent violations.

11 HB 1064: FOR AN ACT ENTITLED, An Act to allow the Supreme Court to establish
12 certain rules for the use of interactive audio visual equipment and to provide for the collection
13 and deposit of fees for the use thereof.

14 HB 1071: FOR AN ACT ENTITLED, An Act to increase the benefits that the Insurance
15 Guarantee Association may become obligated to cover for annuities, to provide for retroactive
16 application, and to declare an emergency.

17 HB 1095: FOR AN ACT ENTITLED, An Act to revise the procedure for the discharge of
18 civil judgments against a person who has received a discharge of debt pursuant to the United
19 States Code, Title 11.

20 HB 1097: FOR AN ACT ENTITLED, An Act to revise certain provisions regulating the
21 investment of unneeded state operating expenses in banks.

22 HB 1114: FOR AN ACT ENTITLED, An Act to amend provision limiting the time used
23 to determine if a violation is a third or subsequent offense.

24 HB 1121: FOR AN ACT ENTITLED, An Act to amend rate stability provisions to include
25 plant additions.

26 HB 1125: FOR AN ACT ENTITLED, An Act to clarify the definition of engaging in
27 business in certain circumstances.

28 HB 1160: FOR AN ACT ENTITLED, An Act to provide for the award of filing fees as
29 court costs in certain appeals.

30 HB 1194: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
31 payment for rape and sexual offense examinations.

1 HB 1229: FOR AN ACT ENTITLED, An Act to exempt certain persons from the
2 requirement to license as a mortgage loan originator.

3 HB 1245: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
4 suspension of a driver license for certain alcoholic beverage violations.

5 SB 8: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the
6 calculation of state aid to special education.

7 SB 13: FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to
8 reunification and termination of parental rights.

9 SB 20: FOR AN ACT ENTITLED, An Act to allow returns and return information to be
10 disclosed to officers, employees, and legal representatives of the Office of the Attorney General
11 and other state agencies and departments.

12 SB 29: FOR AN ACT ENTITLED, An Act to authorize the establishment of a designated
13 Roth contribution program within the state deferred compensation plan.

14 SB 30: FOR AN ACT ENTITLED, An Act to allow for the development of an alternative
15 benefit enhancement methodology within the South Dakota Retirement System.

16 SB 31: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the South
17 Dakota Retirement System, the South Dakota deferred compensation plan, and the South Dakota
18 special pay retirement program.

19 SB 58: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning elections
20 conducted at voting centers and to declare an emergency.

21 SB 62: FOR AN ACT ENTITLED, An Act to allow certain alcoholic beverage licensees
22 to charge a corkage fee for serving wine supplied by customers and to allow customers to remove
23 a partially consumed bottle of wine from certain alcoholic beverage licensees.

24 SB 65: FOR AN ACT ENTITLED, An Act to revise the list of products offered to
25 consumers by motor vehicle dealers and sales finance companies.

26 SB 66: FOR AN ACT ENTITLED, An Act to permit the filing of certain documents with
27 the secretary of state by electronic means and to remove the notary requirements.

28 SB 67: FOR AN ACT ENTITLED, An Act to provide provisions that all documents filed
29 with and maintained by the Office of the Secretary of State may be filed electronically.

30 SB 73: FOR AN ACT ENTITLED, An Act to repeal the provisions regarding the
31 assessment of real property located in a floodplain.

32 SB 81: FOR AN ACT ENTITLED, An Act to provide for a special license plate for certain
33 persons on active duty in the military.

1 SB 83: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to water
2 development districts.

3 SB 87: FOR AN ACT ENTITLED, An Act to allow military spouses to receive
4 unemployment compensation if they leave their jobs due to a spouse's military transfer.

5 SB 93: FOR AN ACT ENTITLED, An Act to provide for the withdrawal of referred
6 measures in certain circumstances.

7 SB 100: FOR AN ACT ENTITLED, An Act to modify the ethanol production incentive
8 payment to include qualified producers of biobutanol.

9 SB 111: FOR AN ACT ENTITLED, An Act to revise the mining permit fees.

10 SB 113: FOR AN ACT ENTITLED, An Act to provide for special motor vehicle license
11 plates for recipients of the silver star medal, distinguished service cross, navy cross, air force
12 cross, distinguished flying cross, bronze star medal with valor device, or the bronze star medal.

13 SB 116: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the
14 township road system.

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

16 **COMMEMORATIONS**

17 HC 1022 Introduced by: Representatives Fargen, Abdallah, Blake, Bolin, Boomgarden,
18 Brunner, Carson, Conzet, Cronin, Deelstra, Dennert, Dryden, Feickert, Feinstein, Gibson, Gosch,
19 Greenfield, Haggar, Hansen (Jon), Hawley, Hickey, Hoffman, Hubbel, Hunhoff (Bernie), Hunt,
20 Jensen, Jones, Kirkeby, Kirschman, Kopp, Lucas, Lust, Moser, Munsterman, Nelson (Stace),
21 Novstrup (David), Olson (Betty), Perry, Romkema, Rozum, Russell, Schaefer, Scott, Sigdestad,
22 Solum, Steele, Street, Stricherz, Tornow, Tulson, Van Gerpen, Vanneman, Venner, Verchio,
23 Willadsen, Wink, and Wismer and Senators Olson (Russell), Adelstein, Begalka, Bradford,
24 Brown, Buhl, Frerichs, Fryslie, Gray, Hansen (Tom), Haverly, Holien, Hunhoff (Jean), Juhnke,
25 Kraus, Lederman, Maher, Nelson (Tom), Novstrup (Al), Nygaard, Peters, Putnam, Rampelberg,
26 Rave, Rhoden, Schlekeway, Sutton, Tidemann, Tieszen, and Vehle

27 A LEGISLATIVE COMMEMORATION, Honoring and commemorating Roger Nelson for his
28 life-long commitment to sports in South Dakota.

29 WHEREAS, Roger Nelson achieved great success while participating in sports at Brookings
30 High School. Roger accumulated 1,027 points while playing basketball at Brookings High
31 School - a record that stood for more than fifty years. Roger helped the Bobcats win the 1952
32 State A Basketball Championship and was the quarterback of the state championship football
33 team. Roger was a two-time state discus champ and played catcher in Legion baseball. While at
34 the University of South Dakota, Roger was the starting center for the University of South

1 Dakota's 1958 NCAA Division II basketball team. Furthermore, Roger actively participated in
2 sports throughout his life; and

3 WHEREAS, Roger Nelson diligently coached, mentored, and refereed various sports in
4 Hartley, Iowa, and in Colman, Fort Pierre and Canova, South Dakota. While coaching at Canova,
5 he guided the girls basketball team to a 102-17 record and four state-tourney berths in five years.
6 Roger refereed the South Dakota state high school football, basketball, and volleyball
7 tournaments; and

8 WHEREAS, Roger was inducted into the halls of fame at the University of South Dakota,
9 Brookings High School, the Entringer Classic, the State Amateur Basketball Association, and
10 the South Dakota Senior Olympics. Roger was honored in 2002 by the South Dakota Volleyball
11 Officials Association with the Outstanding Dedication and Service in Officiating Award. Roger
12 was also acknowledged in 2011 by the South Dakota Senior Games when he was given the
13 Ginny Anderson Inspirational Award:

14 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-seventh Legislature of the
15 State of South Dakota, that Roger Nelson be honored and commemorated for his lifelong
16 commitment to sports in South Dakota.

17 Rep. Turbiville moved that the House do now adjourn, which motion prevailed and at
18 5:29 p.m. the House adjourned.

19

Karen Gerdes, Chief Clerk