The House convened at 11:00 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Rev. Emily Munger, followed by the Pledge of Allegiance led by House page Samantha Gortmaker.

Roll Call: All members present except Reps. Conzet, Lust, McPherson, Rasmussen, Soli, Stevens, and Wismer 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-seventh 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,
G. Mark Mickelson, Chair

Which motion prevailed.

40 copies were printed on recycled paper by the South Dakota Legislative Research Council at a cost of $.049 per page.
March 9, 2018

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on March 9, 2018, I approved House Bills 1007, 1054, 1104, 1106, 1110, 1121, 1248, 1281, and 1318, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Dennis Daugaard
Governor

March 9, 2018

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on March 9, 2018, I approved House Bills 1155, 1270, and 1273, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Dennis Daugaard
Governor

March 9, 2018

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on March 9, 2018, I approved House Bills 1081, 1083, and 1162, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Dennis Daugaard
Governor
March 21, 2018

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on March 21, 2018, I approved House Bills 1116, 1160, 1161, 1165, 1169, 1174, 1215, and 1304, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,

Dennis Daugaard
Governor

March 21, 2018

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on March 21, 2018, I approved House Bills 1004, 1005, 1012, 1016, 1044, 1045, 1053, 1056, 1109, and 1320, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,

Dennis Daugaard
Governor

March 22, 2018

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on March 22, 2018, I approved House Bills 1067, 1126, 1140, 1146, 1172, 1221, 1252, 1257, 1258, 1264, 1269, 1278, 1280, 1293, and 1313, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,

Dennis Daugaard
Governor
March 23, 2018

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on March 23, 2018, I approved House Bills 1002, 1058, 1114, 1129, 1139, 1166, 1177, 1196, 1209, 1271, 1285, 1286, 1292, 1297, and 1311, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Dennis Daugaard
Governor

March 23, 2018

The Honorable G. Mark Mickelson
Speaker of the House of Representatives
500 East Capitol Avenue
Pierre, South Dakota 57501

Dear Mr. Speaker and Members of the House of Representatives,

I respectfully return to you House Bill 1188, with my VETO. House Bill 1188 is An Act to establish certain provisions regarding postsecondary tuition assistance programs.

House Bill 1188 attempts to require that certain criteria be included in any future legislation regarding tuition assistance programs. However, one legislature cannot bind the hands of a future legislature, and for this reason this bill has no practical effect. A future legislature could pass legislation that creates a postsecondary tuition assistance program and ignores the requirements of this bill.

Legislators can already request these evaluation criteria as a bill moves through the normal legislative process. If legislators find the criteria to be insufficient, they can defeat the bill. If legislators approve such a program, it can still be reevaluated each year through the appropriations process.

From 2011 to 2017, we worked together to repeal 129,746 words of unnecessary laws, and during this session we repealed still more. We should not add unnecessary words to our code, and for that reason I ask that you sustain my veto.

Respectfully submitted,
Dennis Daugaard
Governor
March 23, 2018

The Honorable G. Mark Mickelson
Speaker of the House of Representatives
500 East Capitol Avenue
Pierre, South Dakota 57501

Dear Mr. Speaker and Members of the House of Representatives,

I respectfully return to you House Bill 1268, with my VETO. House Bill 1268 is An Act to provide for revised dates to prefile legislation.

This bill's sponsors seek to give legislators more time to work on legislation, and to increase the opportunity for public input into proposed legislation. I do not believe this bill effectively achieves either purpose.

Nothing currently prevents a legislator, at any time, from working with Legislative Research Council staff to prepare draft legislation. A legislator is free to circulate a draft, post it on a website, talk about it in the news media, or share it with interested parties to seek input. Interim legislative committees routinely post draft legislation that has not been prefiled.

In fact, prefiling a bill inhibits the ability to subsequently react to public feedback. Once a bill is prefiled, the sponsor can no longer revise its text. The sponsor's only recourse is to prefile yet another bill, thereby clogging the bill list with multiple drafts; or to wait until the legislative session to amend the bill, which undermines the goal of prefiling.

The only other reason I can see for this bill is to give a legislator the ability, throughout the year, to seek media attention by "filing a bill" to deal with any newsworthy topic. That is a grandstanding tactic that is all too common in Washington, DC, and those bills rarely even receive a committee hearing.

South Dakotans are proud that ours is a part-time, citizen legislature, and we should not move toward a year-round process for legislation. I ask that you sustain my veto.

Respectfully submitted,

Dennis Daugaard
Governor

MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has approved SB 76 as recommended by the Governor, pursuant to Article IV, Section 4, of the Constitution of the State of South Dakota, for changes as to style and form. The recommendation of the Governor is found on page 793 of the Senate Journal.
We hereby request your favorable consideration in approving the recommendation of the Governor as to style and form on SB 76.

Also MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has approved SB 90 as recommended by the Governor, pursuant to Article IV, Section 4, of the Constitution of the State of South Dakota, for changes as to style and form. The recommendation of the Governor is found on page 794 of the Senate Journal.

We hereby request your favorable consideration in approving the recommendation of the Governor as to style and form on SB 90.

Respectfully,

Kay Johnson, Secretary

CONSIDERATION OF EXECUTIVE VETOES AND RECOMMENDATIONS

The House proceeded to the reconsideration of HB 1188 pursuant to the veto of the Governor and the veto message found on page 796 of the House Journal as provided in Article IV, Section 4, of the Constitution of the State of South Dakota.

The question being “Shall HB 1188 pass, the veto of the Governor notwithstanding?”

And the roll being called:

Yeas 43, Nays 20, Excused 7, Absent 0

Yeas:
Beal; Brunner; Campbell; Chase; Dennert; Diedrich; DiSanto; Duvall; Frye-Mueller; Glanzer; Goodwin; Gosch; Greenfield (Lana); Haugaard; Heinemann; Howard; Hunhoff; Jamison; Jensen (Kevin); Kaiser; Karr; Kettwig; Lake; Latterell; Lesmeister; Livermont; Marty; May; Mills; Otten (Herman); Peterson (Kent); Peterson (Sue); Pischke; Qualm; Rhoden; Rounds; Schaefer; Schoenfish; Steinhauer; Tulson; Wiese; York; Zikmund

Nays:
Ahlers; Anderson; Bartels; Barthel; Bartling; Bordeaux; Carson; Clark; Hawley; Holmes; Johns; Johnson; McCleerey; Reed; Ring; Rozum; Smith; Turbiville; Willadsen; Speaker Mickelson

Excused:
Conzet; Lust; McPherson; Rasmussen; Soli; Stevens; Wismer

So the bill not having received an affirmative vote of a two-thirds majority of the members-elect, the Speaker declared the bill lost, sustaining the Governor’s veto.
The House proceeded to the reconsideration of HB 1268 pursuant to the veto of the Governor and the veto message found on page 797 of the House Journal as provided in Article IV, Section 4, of the Constitution of the State of South Dakota.

The question being “Shall HB 1268 pass, the veto of the Governor notwithstanding?”

And the roll being called:

Yeas 39, Nays 24, Excused 7, Absent 0

Yeas:
Ahlers; Bartling; Beal; Bordeaux; Brunner; Campbell; Dennert; DiSanto; Frye-Mueller; Goodwin; Gosch; Greenfield (Lana); Haugaard; Hawley; Heinemann; Howard; Jamison; Jensen (Kevin); Kaiser; Karr; Lake; Latterell; Lesmeister; Livermont; Marty; May; McCleerey; Mills; Otten (Herman); Peterson (Sue); Pischke; Ring; Schoenfish; Smith; Steinhauer; Tulson; Wiese; Zikmund; Speaker Mickelson

Nays:
Anderson; Bartels; Barthel; Carson; Chase; Clark; Diedrich; Duvall; Glanzer; Holmes; Hunhoff; Johns; Johnson; Kettwig; Peterson (Kent); Qualm; Reed; Rhoden; Rounds; Rozum; Schaefer; Turbiville; Willadsen; York

Excused:
Conzet; Lust; McPherson; Rasmussen; Soli; Stevens; Wismer

So the bill not having received an affirmative vote of a two-thirds majority of the members-elect, the Speaker declared the bill lost, sustaining the Governor’s veto.

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

MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has sustained the veto of the Governor on SB 94.

Respectfully,
Kay Johnson, Secretary

There being no objection, the House proceeded to Order of Business No. 9 - Consideration of Executive Vetoes and Recommendations.
CONSIDERATION OF EXECUTIVE VETOES AND RECOMMENDATIONS

The House proceeded to the consideration of the recommendation of the Governor as to change of style and form of SB 76 as found on page 793 of the Senate Journal, as provided in Article IV, Section 4, of the Constitution of the State of South Dakota.

The question being “Shall the recommendation of the Governor as to change of style and form of SB 76 be approved?”

And the roll being called:

Yeas 56, Nays 7, Excused 7, Absent 0

Yeas:
Ahlers; Anderson; Bartels; Barthel; Bartling; Beal; Bordeaux; Brunner; Carson; Chase; Clark; Dennert; Diedrich; DiSanto; Duvall; Glanzer; Goodwin; Greenfield (Lana); Haugaard; Hawley; Heinemann; Holmes; Hunhoff; Jamison; Jensen (Kevin); Johns; Johnson; Karr; Kettwig; Lake; Latterell; Lesmeister; Livermont; May; McCleerey; Mills; Otten (Herman); Peterson (Kent); Peterson (Sue); Qualm; Reed; Rhoden; Ring; Rounds; Rozum; Schaefer; Schoenfish; Smith; Steinhauer; Tulson; Turbiville; Wiese; Willadsen; York; Zikmund; Speaker Mickelson

Nays:
Campbell; Frye-Mueller; Gosch; Howard; Kaiser; Marty; Pischke

Excused:
Conzet; Lust; McPherson; Rasmussen; Soli; Stevens; Wismer

So the question having received an affirmative vote of a majority of the members-elect, the Speaker declared the recommendation of the Governor as to change of style and form approved.

The House proceeded to the consideration of the recommendation of the Governor as to change of style and form of SB 90 as found on page 794 of the Senate Journal, as provided in Article IV, Section 4, of the Constitution of the State of South Dakota.

The question being “Shall the recommendation of the Governor as to change of style and form of SB 90 be approved?”

And the roll being called:

Yeas 62, Nays 1, Excused 7, Absent 0
Yeas:
Ahlers; Anderson; Bartels; Barthel; Bartling; Beal; Bordeaux; Brunner; Campbell; Carson; Chase; Clark; Dennert; Diedrich; DiSanto; Duvall; Frye-Mueller; Glanzer; Goodwin; Gosch; Greenfield (Lana); Haugaard; Hawley; Heinemann; Holmes; Howard; Hunhoff; Jamison; Johns; Johnson; Kaiser; Karr; Kettwig; Lake; Latterell; Lesmeister; Livermont; Marty; May; McCleerey; Mills; Otten (Herman); Peterson (Kent); Peterson (Sue); Pischke; Qualm; Reed; Rhoden; Ring; Rounds; Rozum; Schaefer; Schoenfish; Smith; Steinhauer; Tulson; Turbiville; Wiese; Willadsen; York; Zikmund; Speaker Mickelson

Nays:
Jensen (Kevin)

Excused:
Conzet; Lust; McPherson; Rasmussen; Soli; Stevens; Wismer

So the question having received an affirmative vote of a majority of the members-elect, the Speaker declared the recommendation of the Governor as to change of style and form approved.

CONSIDERATION OF REPORTS OF JOINT-SELECT COMMITTEES

MR. SPEAKER:

Your Joint-Select Committee appointed to wait upon his Excellency, the Governor, to inform him that the Legislature has completed its labors and is ready to adjourn sine die and to ascertain if he has any further communications to make to the Legislature, respectfully reports that it has performed the duty assigned to it and has been informed by his Excellency, the Governor, that he will appear for the closing of the Ninety-third Legislative Session.

Respectfully submitted,
G. Mark Mickelson
Lee Qualm
Spencer Hawley
House Committee

Respectfully submitted,
Brock L. Greenfield
R. Blake Curd
Billie Sutton
Senate Committee

Rep. Qualm moved that the report of the Joint-Select Committee relative to informing the Governor that the Legislature has completed its labors and is ready to ascertain if he has any further communications to make to the Legislature be adopted.

Which motion prevailed.
Also MR. SPEAKER:

Your Joint-Select Committee appointed to consider the matter of adjournment sine die of the Ninety-third Legislative Session respectfully reports that the Senate and House of Representatives adjourn sine die at the hour of 12:41 p.m., March 26, 2018.

Respectfully submitted,
G. Mark Mickelson
Kris Langer
Bob Ewing
Kevin Killer

Rep. Qualm moved that the report of the Joint-Select Committee relative to fixing the time to adjourn sine die be adopted.

Which motion prevailed.

Speaker Mickelson introduced the Honorable Dennis Daugaard, who delivered an address on the occasion of his last legislative session as Governor.

There being no objection, the House reverted to Order of Business No. 5 - Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the House has, pursuant to the Governor’s veto of HB 1188, sustained that veto and delivered the same to her Excellency, the Secretary of State, for filing at 12:33 p.m., March 26, 2018.

Respectfully submitted,
G. Mark Mickelson, Chair
There being no objection, the House proceeded to Order of Business No. 7 - Messages from the Senate.

MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has adopted the report of the Joint-Select Committee for the purpose of fixing the time of adjournment sine die for the Ninety-third Legislative Session.

Also MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has adopted the report of the Joint-Select Committee for the purpose of informing his Excellency, the Governor, that the Legislature has completed its labors, is ready to adjourn sine die, and to ascertain if he has any further communications to make to the Legislature.

Respectfully,
Kay Johnson, Secretary

The following prayer was offered by the Chaplain, Rev. Emily Munger.

I offer this prayer in the language of my Christian tradition but I invite you all, regardless of your spiritual ways, into a moment of reflection together.

Jesus who rode into Jerusalem on a donkey,

You teach us humility. You teach us sacrifice. You teach us service. When you could have been all-powerful, you chose surrender for the sake of love. May all of us gathered here today be grateful for the service we can offer. May we be thankful for those who trust us, and may we be humbled by those in need around us. I offer thanks today for the service of each member of the SD legislature, Representatives and Senators, interns, aides, pages, clerical staff, custodians, security, every single soul that makes this work possible. May you grant blessings upon those who have completed their service, and may you guide those who continue on in ways of listening, learning, and paying attention to your Spirit at work in South Dakota in 2018.

All in the name of Hosanna in the Highest, who chooses a humble ride on a donkey to guide us. Amen.
Rep. Beal moved that the House do now adjourn sine die, which motion prevailed, and at 12:41 p.m. the House adjourned.

Sandra J. Zinter, Chief Clerk