

# *JOURNAL OF THE HOUSE*

## *NINETY-SEVENTH SESSION*

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THIRTY-FOURTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Monday, March 07, 2022

The House convened at 10:00 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Russell Jones, followed by the Pledge of Allegiance led by House pages Madyson Fleckenstein and Caleb McGregor.

Roll Call: All members present except Rep. Jamison who was 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 33rd 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,  
Spencer R. Gosch, Chair

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

2 Madyson Fleckenstein, Kylie Lacey, Caleb McGregor, Megan Nash, Peyton Roe, Megan Sanders,  
3 Andrew Schroeder.

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

5 Speaker Gosch moved that the House do now recess until later today.

6 Which motion prevailed and at 10:10 a.m., the House recessed.

7 **RECESS**

8 The House reconvened at 12:43 p.m., the Speaker presiding.

9 **COMMUNICATIONS AND PETITIONS**

10 March 3, 2022

11 Mr. Speaker and Members of the House:

12 I have the honor to inform you that on March 3, 2022, I approved House Bills 1097, 1185, and  
13 1275, and the same have been deposited in the office of the Secretary of State.

14 Respectfully submitted,  
15 Kristi Noem  
16 Governor

17 **REPORTS OF STANDING COMMITTEES**

18 Mr. SPEAKER:

19 The Committee on Legislative Procedure respectfully reports that **HB 1016, 1017, 1020,**  
20 **1021, 1022, 1023, 1024, 1030, 1034, 1047, 1086, 1092, 1110, 1115, 1120, 1121, 1137,**  
21 **1155, 1177, 1196, 1197, 1282, 1283, 1285, 1292, and 1308** were delivered to her Excellency,  
22 the Governor, for her approval at 4:05 p.m., March 3, 2022.

23 Respectfully submitted,  
24 Spencer R. Gosch, Chair

25 Mr. SPEAKER:

26 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and  
27 Enrolling has carefully compared **HB 1014, 1051, 1099, 1100, 1156, 1176, and 1284** and finds  
28 the same correctly enrolled.

29 Respectfully submitted,  
30 Spencer R. Gosch, Chair

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**MESSAGES FROM THE SENATE**

2 Mr. SPEAKER:

3 I have the honor to return herewith **HB 1051 and 1156** which have passed the Senate without  
4 change.

5 Also Mr. SPEAKER:

6 I have the honor to inform your honorable body that the Senate has adopted the report of the  
7 Conference Committee on **HB 1044**.

8 Also Mr. SPEAKER:

9 I have the honor to inform your honorable body that the Senate has concurred in House  
10 amendments to **SB 167 and 201**.

11 Also Mr. SPEAKER:

12 I have the honor to inform your honorable body that the Senate has failed to concur in House  
13 amendments to **SB 24** and has appointed Senators Breitling (Chair), Rohl, and Duhamel as a  
14 committee of three on the part of the Senate to meet with a like committee on the part of the House  
15 to adjust the differences between the two houses.

16

17

Respectfully,  
Kay Johnson, Secretary18 The Speaker announced Representatives Deutsch (Chair), Randolph, and Keintz as a  
19 committee of three on the part of the House to meet with a like committee on the part of the Senate  
20 to adjust the differences between the two houses on **SB 24**.

21

**MOTIONS AND RESOLUTIONS**22 Rep. Kent Peterson moved that when we adjourn today, we adjourn to convene at 10:00 a.m.  
23 on Tuesday, March 8, 2022, the 35<sup>th</sup> legislative day.

24 Which motion prevailed.

25 Rep. Kent Peterson moved that **SB 212** be placed to follow **SB 196** on today's calendar.

26 Which motion prevailed.

27 Rep. Ladner moved that the rules be suspended for the sole purpose of introducing, giving first  
28 reading to, dispensing with committee referral, and placing on today's calendar **HR 7005** and **HC**  
29 **8018**.30 The question being on Rep. Ladner's motion that the rules be suspended for the sole purpose  
31 of introducing, giving first reading to, dispensing with committee referral, and placing on today's  
32 calendar **HR 7005** and **HC 8018**.

1 And the roll being called:

2 Yeas 69, Nays 0, Excused 1, Absent 0

3 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
4 Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross,  
5 Hansen, Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,  
6 Koth, Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach,  
7 Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed,  
8 Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann,  
9 Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

10 Excused: Jamison

11 So the motion having received an affirmative vote of a two-thirds majority of the members-  
12 elect, the Speaker declared the motion prevailed, the rules were suspended, and the resolution and  
13 commemoration were so placed.

14 Rep. Soye moved that the House do concur in Senate amendments to **HCR 6012**.

15 The question being on Rep. Soye's motion that the House do concur in Senate amendments to  
16 **HCR 6012**.

17 And the roll being called:

18 Yeas 69, Nays 0, Excused 1, Absent 0

19 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
20 Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross,  
21 Hansen, Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,  
22 Koth, Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach,  
23 Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed,  
24 Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann,  
25 Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

26 Excused: Jamison

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

29 **HCR 6013**: A CONCURRENT RESOLUTION, Celebrating American heroes.

30 Was read the second time.

31 Rep. Randolph moved that **HCR 6013** be amended as follows:

32 HCR6013A

33 On page 1, line 20, of the Introduced bill, after "units" delete ", with black soldiers voluntarily  
34 serving an average of nine times longer than white soldiers"

35 On page 2, line 3, of the Introduced bill, after "Massacre" insert ", and that War came to a  
36 successful close at the Battle of Yorktown largely because of the intelligence work of black American  
37 James Armistead Lafayette, the first double spy in American history"

1 On page 2, line 5, of the Introduced bill, after "and" delete " WHEREAS, that War came to a  
2 successful close at the Battle of Yorktown largely because of the intelligence work of black American  
3 James Armistead Lafayette, the first double spy in American history; and"

4 On page 2, line 8, of the Introduced bill, after "and" delete "WHEREAS, since the American War  
5 for Independence began with the death of a black patriot and ended with the intelligence work of  
6 another black patriot, both of whom often get excluded from the narratives of revisionist historians,  
7 any story of that War that does not include the contributions of black Americans is not a complete  
8 portrayal of America or its history; and"

9 On page 2, line 18, of the Introduced bill, delete " all of whom raised funds and provided  
10 military assistance" and insert " and Cuban women known as the "Ladies of Havana" who raised  
11 funds"

12 On page 3, line 15, of the Introduced bill, delete the colon and insert "; and"

13 On page 3, after line 15, of the Introduced bill, insert: "

14 WHEREAS, any story of that war that does not include the contributions of all Americans is  
15 not a complete portrayal of America or its history:"

16 Which motion prevailed.

17 Rep. Randolph moved that **HCR 6013** as found on page 464 of the House Journal be adopted  
18 as amended on page 596 of the House Journal.

19 The question being on Rep. Randolph's motion that **HCR 6013** be adopted as amended.

20 And the roll being called:

21 Yeas 67, Nays 2, Excused 1, Absent 0

22 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
23 Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross,  
24 Hansen, Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Koth,  
25 Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson,  
26 Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Randolph, Reed, Rehfeldt,  
27 Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis,  
28 Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

29 Nays: Keintz and Pourier

30 Excused: Jamison

31 So the motion having received an affirmative vote of a majority of the members-elect, the  
32 Speaker declared the motion carried and **HCR 6013** was adopted as amended.

33 **HR 7005**: A RESOLUTION, Urging support for the people of Ukraine.

34 Was read the second time.

35 Rep. Ladner moved that **HR 7005** as found on page 597 of the House Journal be adopted.

36 The question being on Rep. Ladner's motion that **HR 7005** be adopted.

37 And the roll being called:

38 Yeas 68, Nays 1, Excused 1, Absent 0

1 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
2 Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross,  
3 Hansen, Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,  
4 Koth, Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach,  
5 Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Reed, Rehfeldt,  
6 Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis,  
7 Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

8 Nays: Randolph

9 Excused: Jamison

10 So the motion having received an affirmative vote of a majority of the members-elect, the  
11 Speaker declared the motion carried and **HR 7005** was adopted.

12 **SCR 608:** A CONCURRENT RESOLUTION, To conduct an interim study examining local jails  
13 and opportunities for collaboration with state correctional plans.

14 Was read the second time.

15 Rep. Perry moved that **SCR 608** as found on page 439 of the House Journal be concurred in.

16 The question being on Rep. Perry's motion that **SCR 608** be concurred in.

17 And the roll being called:

18 Yeas 68, Nays 1, Excused 1, Absent 0

19 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Davis,  
20 Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,  
21 Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz, Koth,  
22 Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson,  
23 Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed,  
24 Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann,  
25 Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

26 Nays: Cwach

27 Excused: Jamison

28 So the motion having received an affirmative vote of a majority of the members-elect, the  
29 Speaker declared the motion carried and **SCR 608** was concurred in.

30 **HCR 6014:** A CONCURRENT RESOLUTION, Urging the federal government to fulfill treaty  
31 obligations by fully funding the Oglala and Rosebud Sioux Tribe Departments of Public Safety for  
32 the public safety crisis on the Pine Ridge and Rosebud Sioux Reservations.

33 Was read the second time.

34 Rep. Pourier moved that **HCR 6014** as found on page 464 of the House Journal be adopted as  
35 amended on page 543 of the House Journal.

1 The question being on Rep. Pourier's motion that **HCR 6014** be adopted as amended.

2 And the roll being called:

3 Yeas 61, Nays 8, Excused 1, Absent 0

4 Yeas: Anderson, Aylward, Bartels, Barthel, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,  
5 Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,  
6 Haugaard, Healy, Hoffman, Kevin Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner, Lesmeister,  
7 Marty, May, Mills, Miskimins, Mortenson, Odenbach, Olson, Ernie Otten, Overweg, Perry, Kent  
8 Peterson, Sue Peterson, Pourier, Randolph, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Soye,  
9 St. John, Stevens, Thomason, Tidemann, Vasgaard, Weisgram, Wiese, Willadsen, Wink, York, and  
10 Speaker Gosch

11 Nays: Beal, Dennert, Howard, Phil Jensen, Milstead, Mulally, Pischke, and Weis

12 Excused: Jamison

13 So the motion having received an affirmative vote of a majority of the members-elect, the  
14 Speaker declared the motion carried and **HCR 6014** was adopted as amended.

### 15 **CONSIDERATION OF REPORTS OF COMMITTEES**

16 Rep. Kent Peterson moved that the reports of the Standing Committees on

17 State Affairs on **SB 117** as found on page 544 of the House Journal; also

18 State Affairs on **SB 198** as found on page 548 of the House Journal; also

19 State Affairs on **HCR 6014** as found on page 543 of the House Journal; also

20 House Appropriations on **SB 103** as found on page 568 of the House Journal; also

21 House Appropriations on **SB 109, 144, and 161** as found on page 569 of the House Journal  
22 be adopted.

23 Which motion prevailed and the reports were adopted.

24 **SB 25**: FOR AN ACT ENTITLED, An Act to provide for the taxation of marijuana.

25 Was read the second time.

26 Rep. Bartels moved that **SB 25** be laid on the table.

27 The question being on Rep. Bartels' motion that **SB 25** be laid on the table.

28 Which motion carried and **SB 25** was tabled.

29 Rep. Chase moved that **SB 175** be placed on today's calendar with a do pass recommendation,  
30 pursuant to JR 6F-6.

31 The question being on Rep. Chase's motion that **SB 175** be placed on today's calendar with a  
32 do pass recommendation, pursuant to JR 6F-6.

1 And the roll being called:

2 Yeas 40, Nays 29, Excused 1, Absent 0

3 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Chase, Davis, Dennert, Derby, Deutsch, Drury,  
4 Finck, Goodwin, Lana Greenfield, Gross, Hansen, Hoffman, Kevin Jensen, Chris Johnson, Koth,  
5 Lesmeister, Miskimins, Mortenson, Mulally, Odenbach, Olson, Perry, Kent Peterson, Sue Peterson,  
6 Pischke, Rehfeldt, Reimer, Schneider, St. John, Thomason, Tidemann, Vasgaard, Weis, Willadsen,  
7 and York

8 Nays: Aylward, Bordeaux, Chaffee, Cwach, Duba, Fitzgerald, Haugaard, Healy, Howard, Phil  
9 Jensen, Karr, Keintz, Ladner, Marty, May, Mills, Milstead, Ernie Otten, Overweg, Pourier, Randolph,  
10 Reed, Jamie Smith, Soye, Stevens, Weisgram, Wiese, Wink, and Speaker Gosch

11 Excused: Jamison

12 So the motion having received an affirmative vote of a majority of the members-elect, the  
13 Speaker declared the motion prevailed and **SB 175** was so placed.

14 Rep. Rehfeldt moved that **SB 155** be placed on today's calendar with a do pass  
15 recommendation, pursuant to JR 6F-6.

16 The question being on Rep. Rehfeldt's motion that **SB 155** be placed on today's calendar with  
17 a do pass recommendation, pursuant to JR 6F-6.

18 And the roll being called:

19 Yeas 57, Nays 12, Excused 1, Absent 0

20 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Derby,  
21 Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Hansen, Healy, Hoffman, Kevin  
22 Jensen, Chris Johnson, Keintz, Koth, Ladner, Lesmeister, Marty, May, Miskimins, Mortenson, Mulally,  
23 Odenbach, Olson, Ernie Otten, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph,  
24 Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, St. John, Stevens, Thomason, Tidemann,  
25 Vasgaard, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

26 Nays: Aylward, Dennert, Gross, Haugaard, Howard, Phil Jensen, Karr, Mills, Milstead, Overweg,  
27 Soye, and Weis

28 Excused: Jamison

29 So the motion having received an affirmative vote of a majority of the members-elect, the  
30 Speaker declared the motion prevailed and **SB 155** was so placed.

31 Rep. Goodwin moved that **SB 97** be placed on today's calendar, following **SB 144**, with a do  
32 pass recommendation, pursuant to JR 6F-6.

33 The question being on Rep. Goodwin's motion that **SB 97** be placed on today's calendar,  
34 following **SB 144**, with a do pass recommendation, pursuant to JR 6F-6.

35 And the roll being called:

36 Yeas 54, Nays 15, Excused 1, Absent 0

37 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,  
38 Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Gross, Hansen, Healy, Hoffman,  
39 Kevin Jensen, Phil Jensen, Chris Johnson, Keintz, Koth, Ladner, Lesmeister, Miskimins, Mortenson,



1 Mulally, Odenbach, Olson, Ernie Otten, Perry, Kent Peterson, Pourier, Randolph, Reed, Rehfeldt,  
2 Reimer, Schneider, Jamie Smith, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weisgram,  
3 Wiese, Willadsen, Wink, and York

4 Nays: Aylward, Lana Greenfield, Haugaard, Howard, Karr, Marty, May, Mills, Milstead,  
5 Overweg, Sue Peterson, Pischke, Soye, Weis, and Speaker Gosch

6 Excused: Jamison

7 So the motion having received an affirmative vote of a majority of the members-elect, the  
8 Speaker declared the motion prevailed and **SB 97** was so placed.

9 Rep. Reimer moved that **SB 32** be placed on today's calendar with a do pass recommendation,  
10 pursuant to JR 6F-6.

11 The question being on Rep. Reimer's motion that **SB 32** be placed on today's calendar with a  
12 do pass recommendation, pursuant to JR 6F-6.

13 And the roll being called:

14 Yeas 43, Nays 26, Excused 1, Absent 0

15 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Davis, Derby,  
16 Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Healy, Hoffman, Kevin Jensen, Chris Johnson,  
17 Keintz, Koth, Lesmeister, Miskimins, Mulally, Olson, Perry, Kent Peterson, Pourier, Reed, Rehfeldt,  
18 Reimer, Schneider, Jamie Smith, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weisgram,  
19 Willadsen, Wink, and York

20 Nays: Aylward, Cwach, Dennert, Lana Greenfield, Gross, Hansen, Haugaard, Howard, Phil  
21 Jensen, Karr, Ladner, Marty, May, Mills, Milstead, Mortenson, Odenbach, Ernie Otten, Overweg, Sue  
22 Peterson, Pischke, Randolph, Soye, Weis, Wiese, and Speaker Gosch

23 Excused: Jamison

24 So the motion having received an affirmative vote of a majority of the members-elect, the  
25 Speaker declared the motion prevailed and **SB 32** was so placed.

## 26 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

27 **SB 174:** FOR AN ACT ENTITLED, An Act to make an appropriation to provide a grant for the  
28 construction of a facility to provide certain health facilities and services and to declare an emergency.

29 Was read the second time.

30 The question being "Shall **SB 174** pass as amended?"

31 And the roll being called:

32 Yeas 69, Nays 0, Excused 1, Absent 0

33 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
34 Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross,  
35 Hansen, Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,  
36 Koth, Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach,  
37 Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed,

1 Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann,  
2 Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

3 Excused: Jamison

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

6 **SB 81**: FOR AN ACT ENTITLED, An Act to revise the definition of sexual contact for purposes  
7 of sexual contact with a child under eighteen by a person in a position of authority.

8 Was read the second time.

9 The question being "Shall **SB 81** pass as amended?"

10 And the roll being called:

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

12 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
13 Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,  
14 Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Keintz, Koth, Ladner,  
15 Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie  
16 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed, Rehfeldt,  
17 Reimer, Schneider, Jamie Smith, Soye, St. John, Thomason, Tidemann, Vasgaard, Weis, Weisgram,  
18 Wiese, Willadsen, Wink, and York

19 Nays: Dennert, Karr, Stevens, and Speaker Gosch

20 Excused: Davis and Jamison

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 159**: FOR AN ACT ENTITLED, An Act to exempt any person suffering from a severe mental  
24 illness from capital punishment.

25 Was read the second time.

26 The question being "Shall **SB 159** pass as amended?"

27 And the roll being called:

28 Yeas 25, Nays 43, Excused 2, Absent 0

29 Yeas: Aylward, Barthel, Bordeaux, Chaffee, Cwach, Deutsch, Duba, Gross, Hansen, Healy,  
30 Hoffman, Keintz, Lesmeister, Olson, Pischke, Pourier, Randolph, Reed, Jamie Smith, St. John,  
31 Thomason, Weisgram, Wiese, Willadsen, and Wink

32 Nays: Anderson, Bartels, Beal, Blare, Chase, Dennert, Derby, Drury, Finck, Fitzgerald,  
33 Goodwin, Lana Greenfield, Haugaard, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Koth,  
34 Ladner, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Ernie Otten,

1 Overweg, Perry, Kent Peterson, Sue Peterson, Rehfeldt, Reimer, Schneider, Soye, Stevens,  
2 Tidemann, Vasgaard, Weis, York, and Speaker Gosch

3 Excused: Davis and Jamison

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

6 Speaker Pro tempore Hansen now presiding.

7 **SB 130:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to acquire property,  
8 contract for the design and construction of the Dakota State University Applied Research Lab, to  
9 make an appropriation therefor, and to declare an emergency.

10 Was read the second time.

11 The question being "Shall **SB 130** pass?"

12 And the roll being called:

13 Yeas 56, Nays 9, Excused 5, Absent 0

14 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,  
15 Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,  
16 Healy, Hoffman, Kevin Jensen, Chris Johnson, Keintz, Koth, Lesmeister, Mills, Miskimins, Mortenson,  
17 Mulally, Odenbach, Olson, Overweg, Perry, Kent Peterson, Pischke, Pourier, Reed, Rehfeldt, Reimer,  
18 Schneider, Jamie Smith, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram,  
19 Wiese, Willadsen, Wink, York, and Speaker Gosch

20 Nays: Aylward, Haugaard, Howard, Phil Jensen, Karr, Marty, Milstead, Randolph, and Soye

21 Excused: Jamison, Ladner, May, Ernie Otten, and Sue Peterson

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

24 Speaker Gosch now presiding.

25 **SB 54:** FOR AN ACT ENTITLED, An Act to appropriate funds for the Dakota State University  
26 Cyber Program Expansion and to declare an emergency.

27 Was read the second time.

28 Rep. Gross moved that **SB 54** be amended as follows, restoring the bill to the Senate  
29 Engrossed version:

30 54C

31 On page 1, line 4, of the House Appropriations Engrossed bill, delete " \$1" and insert "  
32 \$30,000,000"

33 Which motion prevailed.

1 The question being "Shall **SB 54** pass as amended?"

2 And the roll being called:

3 Yeas 60, Nays 8, Excused 2, Absent 0

4 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
5 Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Lana Greenfield, Gross, Hansen,  
6 Healy, Hoffman, Kevin Jensen, Chris Johnson, Keintz, Koth, Ladner, Lesmeister, May, Mills, Milstead,  
7 Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie Otten, Perry, Kent Peterson, Sue Peterson,  
8 Pischke, Pourier, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens,  
9 Thomason, Tidemann, Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, and York

10 Nays: Haugaard, Howard, Phil Jensen, Karr, Marty, Overweg, Randolph, and Speaker Gosch

11 Excused: Goodwin and Jamison

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

14 **SB 211:** FOR AN ACT ENTITLED, An Act to provide statutory COVID-19 vaccine exemptions  
15 and to declare an emergency.

16 Was read the second time.

17 Rep. Milstead moved that **SB 211** be amended as follows:

18 211H

19 On the Senate Commerce and Energy Engrossed bill, delete everything after the enacting  
20 clause and insert:

21 "

22 **Section 1.** This Act shall be referred to as the COVID-19 Vaccine Freedom of Conscience Act.

23 **Section 2. That a NEW SECTION be added to title 34:**

24 For the purpose of this Act, the term, conscience, means a person's inner conviction of what is  
25 right or wrong in the person's conduct.

26 **Section 3. That a NEW SECTION be added to title 34:**

27 A person has the right to be exempt from any COVID-19 vaccination mandate, requirement,  
28 obligation, or demand on the basis that receiving a COVID-19 vaccination violates the person's  
29 conscience. A person may exercise the right to be exempt under this Act orally or in writing.

30 **Section 4. That a NEW SECTION be added to title 34:**

31 No person may be subjected to any disciplinary action; being terminated, demoted, or losing  
32 employment status in any way; loss of student status, including status in a particular study program;  
33 nor may any person be denied access to any business premises as a result of the person's decision  
34 to decline to receive a COVID-19 vaccination on the basis of conscience.

35 **Section 5. That a NEW SECTION be added to title 34:**

1 Any entity or agent of any entity that mandates or requires any person to receive a COVID-19  
2 vaccination or conditions any person's job or student status upon receiving a COVID-19 vaccination  
3 must inform the person of the right to the conscience exemption under this Act.

4 **Section 6. That a NEW SECTION be added to title 34:**

5 A civil action for damages or injunctive relief, or both, may be brought by any person for any  
6 violation of any provision of this Act. A person aggrieved by any violation of this Act who commences  
7 a civil action is entitled, upon the finding of a violation, to recover threefold the actual damages  
8 sustained, along with the costs of the action and reasonable attorney's fees.

9 **Section 7. That a NEW SECTION be added to title 34:**

10 A health care facility, as defined in § 34-12-1.1, is exempt from this Act during any period of  
11 time that compliance would result in a violation of regulations issued by the centers for medicare  
12 and medicaid services or the centers for disease control and prevention.

13 **Section 8. That a NEW SECTION be added to title 34:**

14 This Act does not:

15 (1) Apply to the South Dakota National Guard; and

16 (2) Prevent the South Dakota National Guard from requiring a COVID-19 immunization in  
17 compliance with a valid and lawful command order that applies to a servicemember who may be  
18 subject to federal activation."

19 Rep. Milstead requested a roll call vote.

20 Which request was supported.

21 And the roll being called:

22 Yeas 39, Nays 30, Excused 1, Absent 0

23 Yeas: Aylward, Bordeaux, Cwach, Dennert, Duba, Finck, Goodwin, Lana Greenfield, Gross,  
24 Hansen, Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,  
25 Ladner, Lesmeister, Marty, May, Mills, Milstead, Mulally, Odenbach, Overweg, Sue Peterson, Pischke,  
26 Pourier, Randolph, Jamie Smith, Soye, Weis, Wiese, Wink, York, and Speaker Gosch

27 Nays: Anderson, Bartels, Barthel, Beal, Blare, Chaffee, Chase, Davis, Derby, Deutsch, Drury,  
28 Fitzgerald, Koth, Miskimins, Mortenson, Olson, Ernie Otten, Perry, Kent Peterson, Reed, Rehfeldt,  
29 Reimer, Schneider, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weisgram, and Willadsen

30 Excused: Jamison

31 So the motion having received an affirmative vote of a majority of the members-elect, the  
32 Speaker declared the motion prevailed.

33 The question being "Shall **SB 211** pass as amended?"

34 And the roll being called:

35 Yeas 37, Nays 32, Excused 1, Absent 0

36 Yeas: Aylward, Beal, Chaffee, Deutsch, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross,  
37 Hansen, Haugaard, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Ladner,

1 Marty, May, Mills, Milstead, Mulally, Odenbach, Overweg, Perry, Sue Peterson, Pischke, Randolph,  
2 Schneider, Soye, Vasgaard, Weis, Wiese, Wink, York, and Speaker Gosch

3 Nays: Anderson, Bartels, Barthel, Blare, Bordeaux, Chase, Cwach, Davis, Dennert, Derby,  
4 Drury, Duba, Healy, Keintz, Koth, Lesmeister, Miskimins, Mortenson, Olson, Ernie Otten, Kent  
5 Peterson, Pourier, Reed, Rehfeldt, Reimer, Jamie Smith, St. John, Stevens, Thomason, Tidemann,  
6 Weisgram, and Willadsen

7 Excused: Jamison

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

10 The question being on the title.

11 Rep. Hansen moved that the title to **SB 211** be amended as follows:

12 211I

13 On the previously adopted amendment (211H), On page 1, line 1, delete "provide statutory  
14 COVID-19 vaccine exemptions and to declare an emergency" and insert "protect an individual's  
15 conscience from entities requiring the COVID-19 vaccine"

16 Which motion prevailed and the title was so amended.

17 **SB 62:** FOR AN ACT ENTITLED, An Act to make an appropriation for eligible water, wastewater,  
18 storm water, and nonpoint source projects and to declare an emergency.

19 Was read the second time.

20 The question being "Shall **SB 62** pass as amended?"

21 And the roll being called:

22 Yeas 69, Nays 0, Excused 1, Absent 0

23 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
24 Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross,  
25 Hansen, Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz,  
26 Koth, Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach,  
27 Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed,  
28 Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann,  
29 Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

30 Excused: Jamison

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 170:** FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to forest  
34 resiliency and growth in the state and to declare an emergency.

35 Was read the second time.

1 The question being "Shall **SB 170** pass?"

2 And the roll being called:

3 Yeas 67, Nays 2, Excused 1, Absent 0

4 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
5 Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross,  
6 Hansen, Haugaard, Healy, Hoffman, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz, Koth,  
7 Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson,  
8 Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Reed, Rehfeldt, Reimer,  
9 Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram,  
10 Wiese, Willadsen, Wink, York, and Speaker Gosch

11 Nays: Howard and Randolph

12 Excused: Jamison

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 **SB 196:** FOR AN ACT ENTITLED, An Act to make an appropriation to provide grants for certain  
16 residential alternative care programs and to declare an emergency.

17 Was read the second time.

18 Rep. Tidemann moved that **SB 196** be amended as follows:

19 196D

20 On page 1, line 4, of the Senate Appropriations Engrossed bill, delete " \$1" and insert " \$2"

21 Which motion prevailed.

22 The question being "Shall **SB 196** pass as amended?"

23 And the roll being called:

24 Yeas 61, Nays 8, Excused 1, Absent 0

25 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,  
26 Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Lana Greenfield, Gross, Hansen, Haugaard,  
27 Healy, Hoffman, Phil Jensen, Chris Johnson, Keintz, Koth, Ladner, Lesmeister, May, Mills, Milstead,  
28 Miskimins, Mortenson, Odenbach, Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson,  
29 Pischke, Pourier, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens,  
30 Thomason, Tidemann, Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

31 Nays: Aylward, Goodwin, Howard, Kevin Jensen, Karr, Marty, Mulally, and Randolph

32 Excused: Jamison

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

1 **SB 212:** FOR AN ACT ENTITLED, An Act to revise certain fees collected by the Office of the  
2 Secretary of State.

3 Was read the second time.

4 Rep. Mortenson moved that **SB 212** be amended as follows, restoring the bill to the Senate  
5 Engrossed version:

6 212H

7 On page 4, line 26, of the House State Affairs Engrossed bill, after "program." delete "Section  
8 8. That § 47-1A-122 be AMENDED:

9 "

10 On page 4, line 27, of the House State Affairs Engrossed bill, after "AMENDED:" delete "47-  
11 1A-122. The Office of the Secretary of State shall collect the following fees when the documents  
12 described in this section are delivered for filing:

13 (1) Articles of incorporation, \$150 no charge;

14 (2) Application for use of indistinguishable name, \$25;

15 (3) Application for reserved name, \$25;

16 (4) Notice of transfer of reserved name, \$15;

17 (5) Application for registered name, \$25;

18 (6) Application for renewal of registered name, \$15. A renewal application may be filed  
19 between the first day of October and the thirty-first day of December in each year and shall extend  
20 the registration for the following year;

21 (7) to (9) Repealed by SL 2008, ch 275, § 27;

22 (10)(7) Articles of domestication, \$150 no charge;

23 (11)(8) Articles of charter surrender, \$150;

24 (12)(9) Articles of domestication and conversion, \$150 no charge;

25 (13)(10) Articles of entity conversion, \$150;

26 (14)(11) Amendment of articles of incorporation, \$60;

27 (15)(12) Restatement of articles of incorporation, \$60;

28 (16)(13) Articles of merger or share exchange, \$60;

29 (17)(14) Articles of dissolution, \$10;

30 (18)(15) Articles of revocation of dissolution, \$10;

31 (19)(16) Certificate of administrative dissolution, no charge;

32 (20)(17) Application for reinstatement following administrative dissolution, plus any delinquent  
33 annual report filing fees for the period before the reinstatement application, \$300;

34 (21)(18) Certificate of reinstatement, no charge;



- 
- 1 (22)(19) Certificate of judicial dissolution, no charge;
- 2 (23)(20) Application for certificate of authority, \$750;
- 3 (24)(21) Application for amended certificate of authority, \$250;
- 4 (25)(22) Application for certificate of withdrawal, \$10;
- 5 (26)(23) Application for transfer of authority, \$25;
- 6 (27)(24) Certificate of revocation of authority to transact business, no charge;
- 7 (28)(25) Annual Domestic annual report, \$50 no charge; foreign annual report, \$50. Each  
8 entity that does not file or refuses to file its annual report within the time prescribed is subject to a  
9 penalty of fifty dollars to be assessed by the secretary of state;
- 10 (29)(26) Articles of correction, \$25;
- 11 (30)(27) Application for certificate of existence or authorization, \$20;
- 12 (31)(28) Amended annual report, \$25;
- 13 (32)(29) Any other document required or permitted to be filed by this chapter, \$20.

14 The Office of the Secretary of State shall collect a fee of thirty dollars each time process is  
15 served on the Office of the Secretary of State under this chapter. The party to a proceeding causing  
16 service of process is entitled to recover this fee as costs if the party prevails in the proceeding."

17 On page 6, line 3, of the House State Affairs Engrossed bill, after "proceeding." delete "Section  
18 9. That § 47-20-7 be AMENDED:

19 "

20 On page 6, line 4, of the House State Affairs Engrossed bill, after "AMENDED:" delete "47-20-  
21 7. The annual report shall be delivered to the secretary of state pursuant to §§ 59-11-24 to 59-11-  
22 26, inclusive. A fee of thirty dollars shall be paid to the secretary of state for filing the report. If the  
23 report does not conform to requirements, it shall must be returned to the cooperative for necessary  
24 corrections."

25 On page 6, line 8, of the House State Affairs Engrossed bill, after "corrections." delete "Section  
26 10. That § 47-21-43 be AMENDED:

27 "

28 On page 6, line 9, of the House State Affairs Engrossed bill, after "AMENDED:" delete "47-21-  
29 43. The secretary of state shall charge and collect for collect the following fees when the documents  
30 described in this section are delivered for filing:

- 31 (1) Filing articlesArticles of incorporation, ten dollars no charge;
- 32 (2) Filing articlesArticles of consolidation or merger, ten dollars;
- 33 (3) Filing articlesArticles of amendment, ten dollars;
- 34 (4) Filing articlesArticles of conversion, ten dollars;
- 35 (5) Filing certificateCertificate of election to dissolve, two dollars;
- 36 (6) Filing articlesArticles of dissolution, two dollars; and

1 (7) Filing certificateCertificate of change of principal office, one dollar."

2 On page 6, line 18, of the House State Affairs Engrossed bill, after "dollar." delete "Section 11.  
3 That § 47-28-6 be AMENDED:

4 "

5 On page 6, line 19, of the House State Affairs Engrossed bill, after "AMENDED:" delete "47-  
6 28-6. The secretary of state shall charge and collect for collect the following fees when the  
7 documents described in this section are delivered for filing:

8 (1) Filing articlesArticles of incorporation and issuing a certificate of incorporation, thirty dollars  
9 no charge;

10 (2) Filing articlesArticles of amendment and issuing a certificate of amendment, fifteen dollars;

11 (3) Filing articlesArticles of merger or consolidation and issuing a certificate of merger or  
12 consolidation, fifteen dollars;

13 (4) Repealed by SL 2008, ch 275, § 72;

14 (5)(4) Filing articlesArticles of dissolution, five dollars;

15 (6)(5) Filing an applicationApplication of a foreign corporation for a certificate of authority to  
16 conduct affairs in this state and issuing a certificate of authority, one hundred twenty-five dollars;

17 (7)(6) Filing an applicationApplication of a foreign corporation for an amended certificate of  
18 authority to conduct affairs in this state and issuing an amended certificate of authority, twenty-five  
19 dollars;

20 (8)(7) Filing an applicationApplication for withdrawal of a foreign corporation and issuing a  
21 certificate of withdrawal, five dollars;

22 (9)(8) Filing anyAny other statement or report, including an annual report, of a foreign  
23 corporation, ten dollars;

24 (10)(9) Filing an annualAnnual report of a domestic nonprofit corporation under chapter 47-  
25 24, ten dollars no charge;

26 (11)(10) Filing a petitionPetition for reinstatement and issuing a certificate of reinstatement,  
27 thirty dollars; and

28 (12)(11) Filing a noticeNotice of sale, transfer, or merger, fifteen dollars."

29 On page 7, line 13, of the House State Affairs Engrossed bill, after "dollars." delete "Section  
30 12. That § 47-34A-212 be AMENDED:

31 "

32 On page 7, line 14, of the House State Affairs Engrossed bill, after "AMENDED:" delete "47-  
33 34A-212. The secretary of state shall charge and collect for:

34 (a) Filing the articles of organization in the case of a domestic limited liability company, a filing  
35 fee of one hundred fifty dollars no charge. Filing the articles of organization in the case of a foreign  
36 limited liability company, a filing fee of seven hundred fifty dollars;

37 (b) No charge for the filing of each domestic liability company annual report. A reporting fee  
38 of fifty dollars, due and payable with the filing of each foreign limited liability company annual report.

1 Each entity that does not file or refuses to file its annual report within the time prescribed is subject  
2 to a penalty of fifty dollars to be assessed by the secretary of state;

3 (c) Filing the articles of organization in the case of a domestic limited liability company, where  
4 the articles of organization contain a notice that the limited liability company is authorized to  
5 establish one or more series, a filing fee of two hundred dollars no charge. Filing an application for  
6 a certificate of authority in the case of a foreign limited liability company authorized to establish a  
7 series under the laws of another state or jurisdiction, or series of such limited liability company on  
8 its own behalf, a filing fee of eight hundred dollars."

9 On page 7, line 31, of the House State Affairs Engrossed bill, after "dollars." delete "Section  
10 13. That § 47-34A-1206 be AMENDED:

11 "

12 On page 7, line 32, of the House State Affairs Engrossed bill, after "AMENDED:" delete "47-  
13 34A-1206. The secretary of state may charge collect the following fees when the documents  
14 described in this section are delivered:

15 (a) For amending or restating the articles of organization in the case of a domestic limited  
16 liability company, a filing fee of sixty dollars. For amending the certificate of authority in the case of  
17 a foreign limited liability company, a filing fee of seven hundred fifty dollars;

18 (b) For filing articles of termination, ten dollars;

19 (c) For filing articles of merger, sixty dollars;

20 (d) For filing a statement of dissociation, ten dollars;

21 (e) For filing an application to reserve a name, twenty-five dollars;

22 (f) For issuing a certificate of existence, twenty dollars;

23 (g) For filing an application for registration of name, twenty-five dollars;

24 (h) For filing an annual renewal of registration, a limited liability company which has in effect  
25 a registration of its name, may renew such registration from year to year by annually filing an  
26 application for renewal setting forth the facts required to be set forth in an original application for  
27 registration and a certificate of good standing as required for the original registration and by paying  
28 a fee of fifteen dollars. A renewal application may be filed between the first day of October and the  
29 thirty-first day of December in each year and shall extend the registration for the following year.  
30 Delivery may be made by electronic transmission if and to the extent permitted by the Office of the  
31 Secretary of State. If the document is filed in typewritten or printed form and not transmitted  
32 electronically, the Office of the Secretary of State may require one exact or conformed copy to be  
33 delivered with the document;

34 (i) For acting as agent for service of process the secretary of state shall charge and collect at  
35 the time of such service thirty dollars which may be recoverable as taxable costs by the party to the  
36 suit or action causing the service to be made if the party prevails in the suit or action;

37 (j)(i) For filing articles of domestication, one hundred fifty dollars no charge;

38 (k)(j) For filing articles of organization surrender, one hundred fifty dollars;

39 (l)(k) For filing a plan of conversion, one hundred fifty dollars;

40 (m)(l) For amending or restating the articles of organization in the case of a domestic limited  
41 liability company or for filing an application to amend or restate the certificate of authority in the  
42 case of a foreign limited liability company, where the amendment contains a notice that the limited  
43 liability company is authorized to establish one or more series, a filing fee of one hundred ten dollars;

1 (n)(m) For filing an application for a certificate of designation, fifty dollars no charge.

2 For acting as agent for service of process, the secretary of state shall charge and collect at the  
3 time of such service thirty dollars that may be recoverable as taxable costs by the party to the suit  
4 or action causing the service to be made if the party prevails in the suit or action."

5 On page 9, line 5, of the House State Affairs Engrossed bill, after "action." delete "Section 14.  
6 That § 48-7-206. 1 be AMENDED:

7 "

8 On page 9, line 6, of the House State Affairs Engrossed bill, after "AMENDED:" delete "48-7-  
9 206. 1. There is no fee for filing for a domestic certificate of limited partnership. The provisions of  
10 § 1-8-10 notwithstanding, the fee for filing any other document required under this chapter with the  
11 secretary of state is one hundred twenty-five dollars."

12 On page 9, line 10, of the House State Affairs Engrossed bill, after "dollars." delete "Section  
13 15. That § 48-7A-1208 be AMENDED:

14 "

15 On page 9, line 11, of the House State Affairs Engrossed bill, after "AMENDED:" delete "48-  
16 7A-1208. The provisions of § 1-8-10 notwithstanding, the fee for filing the statements and reports  
17 provided for in the following sections with the secretary of state is as follows:

18 (1) Section 48-7A-303, Statement of Authority statement of authority, one hundred twenty-  
19 five dollars no charge;

20 (2) Section 48-7A-304, Statement of Denial statement of denial, ten dollars;

21 (3) Section 48-7A-704, Statement of Dissociation statement of dissociation, ten dollars;

22 (4) Section 48-7A-805, Statement of Dissolution statement of dissolution, ten dollars;

23 (5) Section 48-7A-907, Statement of Merger statement of merger, sixty dollars;

24 (6) Section 48-7A-1001, Statement of Qualification statement of qualification, one hundred  
25 twenty-five dollars no charge;

26 (6A)(7) Section 48-7A-1001, Statement of Change statement of change, ten dollars;

27 (7)(8) Section 48-7A-1003, Annual Report domestic limited liability partnership annual report,  
28 fifty dollars no charge. Section 48-7A-1003, foreign limited liability partnership annual report, fifty  
29 dollars. Each limited liability partnership, domestic or foreign, that does not file or refuses to file its  
30 annual report within the time prescribed is subject to a penalty of fifty dollars to be assessed by the  
31 secretary of state;

32 (8)(9) Section 48-7A-1001. 1, Statement of Amendment statement of amendment, fifteen  
33 dollars;

34 (9)(10) Section 48-7A-1001. 2, Statement of Cancellation statement of cancellation, ten  
35 dollars;

36 (10)(11) Section 48-7A-1102, Statement of Foreign Qualification statement of foreign  
37 qualification, one hundred twenty-five dollars;

38 (11)(12) Section 48-7A-1102. 1, Statement of Amendment of Foreign Qualification statement  
39 of amendment of foreign qualification, fifteen dollars;

1 (12)(13) Section 48-7A-1102. 2, Statement of Cancellation statement of cancellation, ten  
2 dollars; and

3 (13)(14) Filing any other statement, ten dollars."

4 Which motion prevailed.

5 The question being "Shall **SB 212** pass as amended?"

6 And the roll being called:

7 Yeas 61, Nays 8, Excused 1, Absent 0

8 Yeas: Aylward, Bartels, Barthel, Beal, Blare, Chaffee, Chase, Davis, Dennert, Derby, Deutsch,  
9 Drury, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Hoffman, Howard,  
10 Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Koth, Ladner, Marty, May, Mills, Milstead, Miskimins,  
11 Mortenson, Mulally, Odenbach, Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson,  
12 Pischke, Randolph, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens,  
13 Thomason, Tidemann, Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

14 Nays: Anderson, Bordeaux, Cwach, Duba, Healy, Keintz, Lesmeister, and Poirier

15 Excused: Jamison

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 117:** FOR AN ACT ENTITLED, An Act to repeal and revise certain fees collected by the Office  
19 of the Secretary of State.

20 Was read the second time.

21 Rep. Hansen moved that **SB 117** be amended as follows:

117C

23 On page 1, line 1, of the House State Affairs Engrossed bill, after "to " delete "repeal and "

24 On page 1, line 1, delete " certain fees collected by the Office of the Secretary of State" and  
25 insert " the gross receipts tax on certain food"

26 On the House State Affairs Engrossed bill, delete everything after the enacting clause and  
27 insert:

28 "

29 **Section 1. That chapter 10-45 be amended with a NEW SECTION:**

30 Except as provided below, there are exempted from the provisions of this chapter, and from  
31 the tax imposed, gross receipts from the sale of food and food ingredients as defined in § 10-45-1.  
32 This exemption does not apply to the provisions of chapters 10-52 and 10-52A, and the taxes  
33 imposed thereunder."

34 Rep. Goodwin rose to a point of order that the comments pertain only to the amendment.

1 The Speaker ruled that the amendment was being discussed.

2 Rep. Bartels rose to a point of order that amendment 117C is not germane to the title of  
3 **SB 117** pursuant to JR 6E-1.

4 The Speaker ruled that amendment 117C is germane to the bill.

5 Rep. Bartels challenged the ruling of the Speaker.

6 Speaker Gosch requested a roll call vote.

7 And the roll being called:

8 Yeas 24, Nays 45, Excused 1, Absent 0

9 Yeas: Bartels, Barthel, Blare, Chase, Davis, Derby, Drury, Finck, Lana Greenfield, Koth,  
10 Miskimins, Mortenson, Olson, Ernie Otten, Reed, Rehfeldt, Reimer, Schneider, Stevens, Thomason,  
11 Tidemann, Weisgram, Willadsen, and York

12 Nays: Anderson, Aylward, Beal, Bordeaux, Chaffee, Cwach, Dennert, Deutsch, Duba,  
13 Fitzgerald, Goodwin, Gross, Hansen, Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen,  
14 Chris Johnson, Karr, Keintz, Ladner, Lesmeister, Marty, May, Mills, Milstead, Mulally, Odenbach,  
15 Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Jamie Smith, Soye, St.  
16 John, Vasgaard, Weis, Wiese, Wink, and Speaker Gosch

17 Excused: Jamison

18 So the motion not having received an affirmative vote of a majority of the members-elect, the  
19 Speaker declared the motion lost and the Speaker's ruling that amendment 117C is germane to the  
20 bill was upheld.

21 The question being on Rep. Hansen's motion to amend **SB 117** with 117C.

22 Rep. Gosch requested a roll call vote.

23 Which request was supported.

24 And the roll being called:

25 Yeas 44, Nays 25, Excused 1, Absent 0

26 Yeas: Aylward, Beal, Bordeaux, Chaffee, Cwach, Dennert, Deutsch, Duba, Finck, Fitzgerald,  
27 Goodwin, Gross, Hansen, Haugaard, Healy, Howard, Kevin Jensen, Phil Jensen, Karr, Keintz, Ladner,  
28 Lesmeister, Marty, May, Mills, Milstead, Mulally, Odenbach, Ernie Otten, Overweg, Perry, Sue  
29 Peterson, Pischke, Pourier, Randolph, Reimer, Jamie Smith, Soye, St. John, Vasgaard, Weis, Wiese,  
30 Wink, and Speaker Gosch

31 Nays: Anderson, Bartels, Barthel, Blare, Chase, Davis, Derby, Drury, Lana Greenfield,  
32 Hoffman, Chris Johnson, Koth, Miskimins, Mortenson, Olson, Kent Peterson, Reed, Rehfeldt,  
33 Schneider, Stevens, Thomason, Tidemann, Weisgram, Willadsen, and York

34 Excused: Jamison

35 So the motion having received an affirmative vote of a majority of the members-elect, the  
36 Speaker declared the motion prevailed and **SB 117** was so amended.

1 The question being "Shall **SB 117** pass as amended?"

2 And the roll being called:

3 Yeas 47, Nays 22, Excused 1, Absent 0

4 Yeas: Aylward, Beal, Blare, Bordeaux, Chaffee, Cwach, Dennert, Deutsch, Drury, Duba, Finck,  
5 Fitzgerald, Goodwin, Gross, Hansen, Haugaard, Healy, Howard, Kevin Jensen, Phil Jensen, Karr,  
6 Keintz, Ladner, Lesmeister, Marty, May, Mills, Milstead, Mulally, Odenbach, Ernie Otten, Overweg,  
7 Perry, Sue Peterson, Pischke, Pourier, Randolph, Reimer, Schneider, Jamie Smith, Soye, St. John,  
8 Vasgaard, Weis, Wiese, Wink, and Speaker Gosch

9 Nays: Anderson, Bartels, Barthel, Chase, Davis, Derby, Lana Greenfield, Hoffman, Chris  
10 Johnson, Koth, Miskimins, Mortenson, Olson, Kent Peterson, Reed, Rehfeldt, Stevens, Thomason,  
11 Tidemann, Weisgram, Willadsen, and York

12 Excused: Jamison

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 198:** FOR AN ACT ENTITLED, An Act to establish an interim committee regarding  
16 alternatives for placement of juvenile offenders.

17 Was read the second time.

18 The question being "Shall **SB 198** pass as amended?"

19 And the roll being called:

20 Yeas 61, Nays 8, Excused 1, Absent 0

21 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
22 Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Hansen,  
23 Haugaard, Healy, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner,  
24 Lesmeister, Marty, May, Mills, Miskimins, Mulally, Odenbach, Ernie Otten, Overweg, Perry, Kent  
25 Peterson, Sue Peterson, Pischke, Randolph, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Soye,  
26 St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram, Wiese, Wink, York, and  
27 Speaker Gosch

28 Nays: Davis, Gross, Hoffman, Milstead, Mortenson, Olson, Pourier, and Willadsen

29 Excused: Jamison

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 The Speaker appointed Rep. Bartels to replace Rep. Randolph on the conference committee for  
33 **SB 24.**

34 **SB 103:** FOR AN ACT ENTITLED, An Act to make an appropriation to support the teen court  
35 grant program and to declare an emergency.

36 Was read the second time.

1 Rep. Tidemann moved that **SB 103** be amended as follows:

2 103C

3 On page 1, line 4, of the House Appropriations Engrossed bill, delete " \$1" and insert " \$2"

4 Which motion prevailed.

5 The question being "Shall **SB 103** pass as amended?"

6 And the roll being called:

7 Yeas 61, Nays 8, Excused 1, Absent 0

8 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Derby,  
9 Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard,  
10 Healy, Hoffman, Chris Johnson, Keintz, Koth, Ladner, Lesmeister, Marty, May, Mills, Milstead,  
11 Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie Otten, Perry, Kent Peterson, Sue Peterson,  
12 Pischke, Pourier, Randolph, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John,  
13 Stevens, Thomason, Tidemann, Vasgaard, Weisgram, Wiese, Willadsen, Wink, York, and  
14 Speaker Gosch

15 Nays: Aylward, Dennert, Howard, Kevin Jensen, Phil Jensen, Karr, Overweg, and Weis

16 Excused: Jamison

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

19 **SB 109:** FOR AN ACT ENTITLED, An Act to make an appropriation to pay increased costs  
20 incurred in the construction of an appropriate regional facility and to declare an emergency.

21 Was read the second time.

22 The question being "Shall **SB 109** pass as amended?"

23 And the roll being called:

24 Yeas 55, Nays 14, Excused 1, Absent 0

25 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
26 Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Hansen,  
27 Healy, Hoffman, Kevin Jensen, Chris Johnson, Keintz, Koth, Ladner, Lesmeister, Mills, Miskimins,  
28 Mortenson, Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pourier, Randolph,  
29 Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, St. John, Stevens, Thomason, Tidemann,  
30 Vasgaard, Weisgram, Wiese, Willadsen, Wink, and York

31 Nays: Gross, Haugaard, Howard, Phil Jensen, Karr, Marty, May, Milstead, Mulally, Odenbach,  
32 Pischke, Soye, Weis, and Speaker Gosch

33 Excused: Jamison

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



1 **SB 144:** FOR AN ACT ENTITLED, An Act to create the incarceration construction fund for the  
2 capital construction of such facilities.

3 Was read the second time.

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

5 And the roll being called:

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

7 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
8 Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross,  
9 Hansen, Healy, Hoffman, Howard, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz, Koth,  
10 Ladner, Lesmeister, Marty, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Ernie  
11 Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier, Randolph, Reed, Rehfeldt,  
12 Reimer, Schneider, Jamie Smith, Soye, St. John, Thomason, Tidemann, Vasgaard, Weis, Weisgram,  
13 Wiese, Willadsen, Wink, York, and Speaker Gosch

14 Nays: Hugaard, Olson, and Stevens

15 Excused: Jamison

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 97:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to acquire the  
19 incubator building located on the campus of South Dakota School of Mines and Technology, to  
20 contract for the design and renovation thereof, to make an appropriation therefor, and to declare  
21 an emergency.

22 Was read the second time.

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

24 And the roll being called:

25 Yeas 54, Nays 15, Excused 1, Absent 0

26 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,  
27 Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Healy,  
28 Hoffman, Kevin Jensen, Phil Jensen, Chris Johnson, Keintz, Koth, Ladner, Lesmeister, Marty,  
29 Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie Otten, Perry, Kent Peterson, Pourier,  
30 Randolph, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, St. John, Stevens, Thomason,  
31 Tidemann, Vasgaard, Weisgram, Willadsen, Wink, and York

32 Nays: Aylward, Hansen, Hugaard, Howard, Karr, May, Mills, Milstead, Overweg, Sue Peterson,  
33 Pischke, Soye, Weis, Wiese, and Speaker Gosch

34 Excused: Jamison

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

1 **SB 161:** FOR AN ACT ENTITLED, An Act to make an appropriation for matching funds to  
2 enhance research in manufacturing processes having lunar application and planetary use in tribal  
3 housing development and to declare an emergency.

4 Was read the second time.

5 The question being "Shall **SB 161** pass as amended?"

6 And the roll being called:

7 Yeas 58, Nays 11, Excused 1, Absent 0

8 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis,  
9 Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Hansen,  
10 Hugaard, Healy, Hoffman, Kevin Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner, Lesmeister,  
11 May, Milstead, Miskimins, Mortenson, Mulally, Olson, Ernie Otten, Overweg, Perry, Kent Peterson,  
12 Sue Peterson, Pischke, Pourier, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, St. John, Stevens,  
13 Thomason, Tidemann, Vasgaard, Weisgram, Wiese, Willadsen, Wink, and York

14 Nays: Aylward, Gross, Howard, Phil Jensen, Marty, Mills, Odenbach, Randolph, Soye, Weis,  
15 and Speaker Gosch

16 Excused: Jamison

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

19 Rep. Kent Peterson moved that **SB 141, 142, and 143** be placed at the bottom of today's  
20 calendar.

21 Which motion prevailed.

22 **SB 175:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of Game,  
23 Fish and Parks for building a shooting range in western South Dakota and to declare an emergency.

24 Was read the second time.

25 Rep. May moved that **SB 175** be amended as follows:

26 175A

27 On page 1, line 1, of the Introduced bill, delete "make an appropriation to " and insert "address  
28 property acquisition by "

29 On page 1, line 1, of the Introduced bill, delete " for building a shooting range in western South  
30 Dakota" and insert ", make an appropriation therefor, "

31 On page 1, line 2, of the Introduced bill, after "and " delete "to "

32 On page 1, after line 19, of the Introduced bill, insert: "

33 **Section 6. That § 41-2-19 be AMENDED:**

34 **41-2-19.** The Department of Game, Fish and Parks may, on behalf and in the name of the  
35 state, acquire public or private property by gift, grant, devise, purchase, lease, or condemnation  
36 proceedings, and may manage, control, and improve the property for the purpose of exercising the  
37 powers granted in this title.

Real property may not be accepted, received, or administered by the department until the attorney general certifies that the real property is free from any legal obligations, and the real property may not be accepted, received, or administered without specific approval by the Legislature."

On page 1, after line 19, of the Introduced bill, insert: "

**Section 7. That § 41-2-20 be AMENDED:**

**41-2-20.** Any personal property or buildings or fixtures on real estate, acquired pursuant to § 41-2-19, may be sold by the Game, Fish and Parks Commission if the commission determines it to be obsolete or no longer useful and obtains the specific approval of the Legislature. The property ~~shall~~ must be sold according to procedures prescribed by the commissioner of the Bureau of Administration."

On page 1, after line 19, of the Introduced bill, insert: "

**Section 8. That § 41-2-21 be AMENDED:**

**41-2-21.** The Department of Game, Fish and Parks may acquire by any means or methods as specified in § 41-2-19 any public or private real property especially desirable for purposes of establishing public shooting areas or for the purposes of water conservation or recreation and may develop and improve the property for such purposes.

Real property may not be accepted, received, or administered by the department until the attorney general certifies that the real property is free from any legal obligations, and the real property may not be accepted, received, or administered without specific approval by the Legislature."

On page 1, after line 19, of the Introduced bill, insert: "

**Section 9. That § 41-2-29.1 be AMENDED:**

**41-2-29.1.** The Department of Game, Fish and Parks shall sell real property owned by the state and held by the department if such real property is no longer needed for game, fish, or parks purposes. ~~Such~~, and the department obtains the specific approval of the Legislature. The sale may be made only by the following procedure:

(1) At the full value established by a qualified appraiser employed by the department;

(2) For cash at public auction;

(3) Five days after the last of at least two publications of notice of the sale in at least three daily newspapers of the state. The publications shall disclose all details relative to the sale;

(4) Money received shall be deposited with the state treasurer and credited to the game, fish and parks fund;

(5) Conveyance shall be made in the name of the State of South Dakota acting by and through the Department of Game, Fish and Parks and executed in the manner provided by § 5-2-11."

On page 1, after line 19, of the Introduced bill, insert: "

**Section 10. That § 41-2-29.2 be AMENDED:**

**41-2-29.2.** The Department of Game, Fish and Parks, in addition to or as an alternative to the requirements and methods specified in § 41-2-29.1, may trade or exchange real property owned by the state and held by the department if the real property is no longer needed for game, fish or parks purposes or if real property more suitable to department purposes may be obtained by an exchange.

1 The exchange may be made only for other real property of equal value as determined by a qualified  
2 appraiser employed by the department. Conveyance shall be made in the name of the State of South  
3 Dakota acting by and through the Department of Game, Fish and Parks and executed in the manner  
4 provided by § 5-2-11.

5 Real property may not be accepted, received, or administered by the department until the  
6 attorney general certifies that the real property is free from any legal obligations, and the real  
7 property may not be traded, accepted, received, or administered without specific approval by the  
8 Legislature."

9 Rep. May requested a roll call vote.

10 Which request was supported.

11 And the roll being called:

12 Yeas 28, Nays 41, Excused 1, Absent 0

13 Yeas: Aylward, Chaffee, Dennert, Duba, Fitzgerald, Lana Greenfield, Hansen, Haugaard,  
14 Hoffman, Howard, Phil Jensen, Karr, Ladner, Marty, May, Milstead, Mulally, Odenbach, Sue Peterson,  
15 Pischke, Pourier, Randolph, Soye, Weis, Wiese, Wink, York, and Speaker Gosch

16 Nays: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chase, Cwach, Davis, Derby, Deutsch,  
17 Drury, Finck, Goodwin, Gross, Healy, Kevin Jensen, Chris Johnson, Keintz, Koth, Lesmeister, Mills,  
18 Miskimins, Mortenson, Olson, Ernie Otten, Overweg, Perry, Kent Peterson, Reed, Rehfeldt, Reimer,  
19 Schneider, Jamie Smith, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weisgram, and  
20 Willadsen

21 Excused: Jamison

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

24 The question being "Shall **SB 175** pass?"

25 And the roll being called:

26 Yeas 39, Nays 30, Excused 1, Absent 0

27 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Chase, Davis, Derby, Deutsch, Drury, Finck,  
28 Goodwin, Lana Greenfield, Gross, Hansen, Hoffman, Kevin Jensen, Chris Johnson, Koth, Lesmeister,  
29 Miskimins, Mortenson, Mulally, Olson, Perry, Kent Peterson, Sue Peterson, Pischke, Reed, Rehfeldt,  
30 Reimer, Schneider, Thomason, Tidemann, Vasgaard, Weis, Weisgram, Willadsen, and York

31 Nays: Aylward, Bordeaux, Chaffee, Cwach, Dennert, Duba, Fitzgerald, Haugaard, Healy,  
32 Howard, Phil Jensen, Karr, Keintz, Ladner, Marty, May, Mills, Milstead, Odenbach, Ernie Otten,  
33 Overweg, Pourier, Randolph, Jamie Smith, Soye, St. John, Stevens, Wiese, Wink, and  
34 Speaker Gosch

35 Excused: Jamison

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

38 Rep. Goodwin announced his intention to reconsider the vote by which **SB 175** lost.

1 **SB 155:** FOR AN ACT ENTITLED, An Act to make an appropriation for programs that assist  
2 victims of domestic violence, abuse, and neglect and to declare an emergency.

3 Was read the second time.

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

5 And the roll being called:

6 Yeas 56, Nays 13, Excused 1, Absent 0

7 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach, Davis, Derby,  
8 Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Hansen, Healy, Hoffman, Kevin  
9 Jensen, Phil Jensen, Chris Johnson, Keintz, Koth, Ladner, Lesmeister, May, Milstead, Miskimins,  
10 Mortenson, Odenbach, Olson, Ernie Otten, Perry, Kent Peterson, Sue Peterson, Pischke, Pourier,  
11 Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, St. John, Stevens, Thomason, Tidemann,  
12 Vasgaard, Weis, Weisgram, Willadsen, Wink, York, and Speaker Gosch

13 Nays: Aylward, Dennert, Gross, Haugaard, Howard, Karr, Marty, Mills, Mulally, Overweg,  
14 Randolph, Soye, and Wiese

15 Excused: Jamison

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

18 **SB 32:** FOR AN ACT ENTITLED, An Act to authorize the Department of Corrections to purchase  
19 certain real property, construct a community work center for offenders committed to the Department  
20 of Corrections, to make an appropriation therefor, transfer funds from the budget reserve fund, and  
21 to declare an emergency.

22 Was read the second time.

23 The question being "Shall **SB 32** pass as amended?"

24 And the roll being called:

25 Yeas 40, Nays 29, Excused 1, Absent 0

26 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Chaffee, Chase, Davis, Derby, Deutsch, Drury,  
27 Finck, Fitzgerald, Goodwin, Healy, Hoffman, Chris Johnson, Keintz, Koth, Lesmeister, Mortenson,  
28 Olson, Ernie Otten, Perry, Kent Peterson, Sue Peterson, Pourier, Reed, Rehfeldt, Reimer, Schneider,  
29 Jamie Smith, St. John, Stevens, Thomason, Tidemann, Weisgram, Willadsen, Wink, and York

30 Nays: Aylward, Bordeaux, Cwach, Dennert, Duba, Lana Greenfield, Gross, Hansen, Haugaard,  
31 Howard, Kevin Jensen, Phil Jensen, Karr, Ladner, Marty, May, Mills, Milstead, Miskimins, Mulally,  
32 Odenbach, Overweg, Pischke, Randolph, Soye, Vasgaard, Weis, Wiese, and Speaker Gosch

33 Excused: Jamison

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

36 Rep. Reimer announced her intention to reconsider the vote by which **SB 32** lost.

1 Rep. Goodwin moved that the House do now reconsider the vote by which **SB 175** lost.

2 And the roll being called:

3 Yeas 35, Nays 34, Excused 1, Absent 0

4 Yeas: Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chase, Davis, Derby, Deutsch, Drury,  
5 Finck, Goodwin, Lana Greenfield, Hansen, Hoffman, Kevin Jensen, Chris Johnson, Keintz, Koth,  
6 Lesmeister, Mortenson, Mulally, Perry, Kent Peterson, Sue Peterson, Pischke, Rehfeldt, Schneider,  
7 Jamie Smith, Thomason, Tidemann, Vasgaard, Willadsen, and York

8 Nays: Aylward, Chaffee, Cwach, Dennert, Duba, Fitzgerald, Gross, Haugaard, Healy, Howard,  
9 Phil Jensen, Karr, Ladner, Marty, May, Mills, Milstead, Miskimins, Odenbach, Olson, Ernie Otten,  
10 Overweg, Pourier, Randolph, Reed, Reimer, Soye, St. John, Stevens, Weis, Weisgram, Wiese, Wink,  
11 and Speaker Gosch

12 Excused: Jamison

13 So the motion not having received an affirmative vote of a majority of the members-elect, the  
14 Speaker declared the motion lost.

15 Rep. Reimer moved that the House do now reconsider the vote by which **SB 32** lost.

16 And the roll being called:

17 Yeas 31, Nays 37, Excused 2, Absent 0

18 Yeas: Anderson, Barthel, Blare, Chaffee, Davis, Derby, Deutsch, Drury, Fitzgerald, Goodwin,  
19 Healy, Hoffman, Chris Johnson, Keintz, Koth, Lesmeister, Mortenson, Olson, Ernie Otten, Perry, Kent  
20 Peterson, Sue Peterson, Pourier, Rehfeldt, Reimer, Schneider, Jamie Smith, St. John, Thomason,  
21 Wink, and York

22 Nays: Aylward, Bartels, Bordeaux, Chase, Cwach, Dennert, Duba, Finck, Lana Greenfield,  
23 Gross, Hansen, Haugaard, Howard, Kevin Jensen, Phil Jensen, Karr, Ladner, Marty, May, Mills,  
24 Milstead, Miskimins, Mulally, Odenbach, Overweg, Pischke, Randolph, Reed, Soye, Stevens,  
25 Tidemann, Vasgaard, Weis, Weisgram, Wiese, Willadsen, and Speaker Gosch

26 Excused: Beal and Jamison

27 So the motion not having received an affirmative vote of a majority of the members-elect, the  
28 Speaker declared the motion lost.

29 Rep. Kent Peterson moved that **SB 141, 142, and 143** be laid on the table.

30 And the roll being called:

31 Yeas 64, Nays 5, Excused 1, Absent 0

32 Yeas: Anderson, Aylward, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Cwach,  
33 Davis, Dennert, Derby, Deutsch, Drury, Duba, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen,  
34 Haugaard, Healy, Hoffman, Howard, Kevin Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner,  
35 Lesmeister, May, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Ernie Otten,  
36 Overweg, Perry, Kent Peterson, Pischke, Pourier, Randolph, Reed, Rehfeldt, Reimer, Schneider,

1 Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weisgram, Wiese,  
2 Willadsen, Wink, York, and Speaker Gosch

3 Nays: Finck, Phil Jensen, Marty, Sue Peterson, and Weis

4 Excused: Jamison

5 So the motion having received an affirmative vote of a majority of the members-elect, the  
6 Speaker declared the motion carried and **SB 141, 142, and 143** were tabled.

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

9 **MESSAGES FROM THE SENATE**

10 Mr. SPEAKER:

11 I have the honor to return herewith **HB 1117, 1129, 1229, 1278, 1289, 1293, 1302, and**  
12 **1322** which have passed the Senate without change.

13 Also Mr. SPEAKER:

14 I have the honor to return herewith **HB 1012, 1033, 1084, 1127, 1133, 1166, 1174, 1209,**  
15 **1210, 1279, 1281, 1306, 1325, and 1328** which have been amended by the Senate and your  
16 concurrence in the amendments is respectfully requested.

17 Also Mr. SPEAKER:

18 I have the honor to inform your honorable body that the Senate has concurred in House  
19 amendments to **HCR 6002, and SB 167 and 201.**

20 Also Mr. SPEAKER:

21 I have the honor to inform your honorable body that **HB 1124, 1126, 1134, and 1228** were  
22 lost on second reading and final passage.

23 Also Mr. SPEAKER:

24 I have the honor to inform your honorable body that **HB 1136** was lost for failure to be placed  
25 on the Senate calendar.

26 Respectfully,  
27 Kay Johnson, Secretary

28 Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 6:04 p.m.  
29 the House adjourned.

30 Patricia Miller, Chief Clerk

