

JOURNAL OF THE HOUSE

NINETY-NINTH SESSION

THIRTY-SIXTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, March 06, 2024

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

The prayer was offered by the Chaplain, John Fette, followed by the Pledge of Allegiance led by House pages Ezerina Hyseni, Quinn Moon, and Katelyn Ryan.

Roll Call: All members present.

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 35th 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,
Hugh M. Bartels, Chair

1 Rep. Mortenson moved that the House do now recess until 12:00 p.m.

2 Which motion prevailed and at 10:02 a.m., the House recessed.

3 **RECESS**

4 The House reconvened at 12:00 p.m., the Speaker presiding.

5 **COMMUNICATIONS AND PETITIONS**

6 March 5, 2024

7 Mr. Speaker and Members of the House of Representatives:

8 I have the honor to inform you that on March 5, 2024, I approved House Bills 1038, 1089,
9 1096, 1183, 1197, and 1228, and the same have been deposited in the office of the Secretary of
10 State.

11 Respectfully submitted,
12 Kristi Noem
13 Governor

14 **REPORTS OF STANDING COMMITTEES**

15 MR. SPEAKER:

16 The Committee on Legislative Procedure respectfully reports that **HB 1022 and 1240** were
17 delivered to her Excellency, the Governor, for her approval at 9:55 a.m., March 6, 2024.

18 Respectfully submitted,
19 Hugh M. Bartels, Chair

20 Also MR. SPEAKER:

21 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
22 Enrolling has carefully compared **HB 1092, 1200, 1244, and 1245** and finds the same correctly
23 enrolled.

24 Respectfully submitted,
25 Hugh M. Bartels, Chair

26 **REPORTS OF CONFERENCE COMMITTEES**

27 MR. SPEAKER:

28 The SB201 A Conference Committee on **SB 201** respectfully reports that it has considered the
29 disagreement of the two houses, and returns the same with the recommendation that said bill be
30 amended as follows:

31 201M

- 1 On page 1, line 3, of the House Commerce and Energy Engrossed bill, after "companies" insert
2 ", and "
- 3 On page 1, line 3, of the House Commerce and Energy Engrossed bill, after "companies" insert
4 "to establish a "
- 5 On page 1, line 3, of the House Commerce and Energy Engrossed bill, after "companies" insert
6 "landowner bill of rights"
- 7 On page 1, line 9, of the House Commerce and Energy Engrossed bill, after "per" insert " linear"
- 8 On page 1, line 9, of the House Commerce and Energy Engrossed bill, after "of" delete " linear"
- 9 On page 1, line 10, of the House Commerce and Energy Engrossed bill, after "county" insert
10 the comma
- 11 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert
12 "For each county where a"
- 13 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert "
14 carbon dioxide pipeline company"
- 15 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert "
16 has installed a pipeline, the company"
- 17 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert
18 "shall"
- 19 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert "
20 report "
- 21 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert
22 "to the county "
- 23 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert
24 "the linear footage of carbon dioxide pipeline installed in the county. "
- 25 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert
26 "A carbon dioxide pipeline company shall remit the"
- 27 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert "
28 pipeline surcharge to "
- 29 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert
30 "each applicable"
- 31 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert "
32 county in the same manner as provided for the payment of property taxes in chapter 10-21. The
33 revenue derived from the pipeline surcharge must be distributed as follows:
- 34 (1) At least fifty percent as tax relief for property in the county where the carbon dioxide
35 pipeline is located pro rat"
- 36 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert a
37 latin small letter a
- 38 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert "
39 on a per foot basis"

- 1 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert
2 "to "
- 3 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert
4 "each "
- 5 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert
6 "property "
- 7 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert
8 "in the county upon which the pipeline is installed"
- 9 On page 1, line 11, of the House Commerce and Energy Engrossed bill, after "2024)." insert ";"
10 and
- 11 (2) The remaining revenue to be allocated as determined by the county."
- 12 On page 2, line 21, of the House Commerce and Energy Engrossed bill, after "year." delete
13 "Section 4. That § 10-37-9 be AMENDED:"
- 14 On page 2, line 22, of the House Commerce and Energy Engrossed bill, after "AMENDED:"
15 delete "10-37-9. "
- 16 On page 2, line 22, of the House Commerce and Energy Engrossed bill, after "10-37-9. " delete
17 "The Department of Revenue shall on the fifth day of July of each year determine the linear footage
18 of carbon dioxide pipeline installed in each county, if any, and determine the true and actual value
19 of pipeline property located in each taxing district of the state, and in fixing said value shall take
20 into consideration the structures, equipment, pumping stations, etc. , located in said taxing district,
21 and shall transmit to the county auditor of each such county through and into which any pipeline
22 may extend, a statement showing the assessed value of said property in each of the taxing districts
23 of said county. The said property shall then be taxed in said county and lesser taxing districts, based
24 upon the valuation so certified, in the same manner as other property is taxed. Any pipeline
25 surcharge shall be remitted to the county."
- 26 On page 2, line 32, of the House Commerce and Energy Engrossed bill, after "county." delete
27 "Section 5. That § 10-37-15 be AMENDED:"
- 28 On page 3, line 1, of the House Commerce and Energy Engrossed bill, after "AMENDED:" delete
29 "10-37-15. "
- 30 On page 3, line 1, of the House Commerce and Energy Engrossed bill, after "10-37-15. " delete
31 "All laws relating to the enforcement of the payment of delinquent taxes or any pipeline surcharge
32 shall be applicable to all taxes levied under the provisions of this chapter. When any tax levied under
33 the provisions of this chapter shall become delinquent, the county treasurer having control of such
34 delinquent taxes may proceed to collect the same in the manner as now provided for the collection
35 of other taxes and with the same right and power of the sheriff under execution, except that no
36 process shall be necessary to authorize him to sell any property belonging to any pipeline company
37 for the collection of such taxes. The additional remedy provided for in § 10-38-10 by action in the
38 circuit court shall also be available to the county treasurer."
- 39 On page 3, line 11, of the House Commerce and Energy Engrossed bill, after "development"
40 delete " and material transmission"
- 41 On page 3, line 12, of the House Commerce and Energy Engrossed bill, delete " the Northern
42 Great Plains significantly" and insert " surrounding states"
- 43 On page 3, line 14, of the House Commerce and Energy Engrossed bill, delete " the" and insert
44 " agricultural and"

- 1 On page 3, line 15, of the House Commerce and Energy Engrossed bill, after "these" delete "
2 permitted"
- 3 On page 3, line 16, of the House Commerce and Energy Engrossed bill, after "are" insert "
4 permitted and"
- 5 On page 3, line 16, of the House Commerce and Energy Engrossed bill, remove the overstrikes
6 from " so that the energy"
- 7 On page 3, line 16, of the House Commerce and Energy Engrossed bill, after "energy" insert "
8 commerce, and transmission"
- 9 On page 3, line 16, of the House Commerce and Energy Engrossed bill, remove the overstrikes
10 from " requirements of the people of the state are fulfilled"
- 11 On page 3, line 19, of the House Commerce and Energy Engrossed bill, after "that" insert " the
12 permitting or siting of a facility is determined by the commission and"
- 13 On page 3, after line 20, of the House Commerce and Energy Engrossed bill, insert: "
- 14 **Section 5. That § 49-41B-19 be AMENDED:**
- 15 **49-41B-19.** The Public Utilities Commission shall also hear and receive evidence presented by
16 any state department, agency, or units of local government relative to the ~~environmental, social,~~
17 ~~and economic conditions and projected changes therein~~ elements in § 49-41B-22, and any applicable
18 ordinance, resolution, or building code."
- 19 On page 3, line 23, of the House Commerce and Energy Engrossed bill, delete " must supersede
20 or preempt" and insert " supersedes and preempts"
- 21 On page 3, line 23, of the House Commerce and Energy Engrossed bill, after "county" insert "
22 township,"
- 23 On page 3, line 23, of the House Commerce and Energy Engrossed bill, after "county" delete "
24 or"
- 25 On page 3, line 23, of the House Commerce and Energy Engrossed bill, after "municipal" insert
26 ", or any other governmental unit"
- 27 On page 3, line 24, of the House Commerce and Energy Engrossed bill, remove the overstrikes
28 from " or"
- 29 On page 3, line 24, of the House Commerce and Energy Engrossed bill, delete " rules, or safety
30 standards, regulations" and insert " rule, regulation"
- 31 On page 3, line 24, of the House Commerce and Energy Engrossed bill, remove the overstrikes
32 from " rules"
- 33 On page 3, line 24, of the House Commerce and Energy Engrossed bill, after "or" insert "
34 ordinance. Any local land use, zoning, or building rule, regulation, or ordinance preempted or
35 superseded under this section is not an applicable rule or law under subdivision 49-41B-22(1). A
36 route or transmission facility permitted by the commission under this chapter is not subject to any
37 local land use, zoning, or building rule, regulation, or ordinance, unless the commission requires
38 compliance with any generally applicable rule, regulation, or ordinance as a condition of the permit
39 issued. The enforcement of any county, municipal, township, or other governmental unit rule,
40 regulation, or ordinance for a transmission facility permitted under this chapter must be done
41 pursuant to the order of the commission granting the permit. "

On page 3, line 24, of the House Commerce and Energy Engrossed bill, after "or" delete " ordinances upon a finding by the Public Utilities Commission that such rules, or regulation, or ordinances, as applied to the proposed route, are unreasonably restrictive in view of existing technology, factors of cost, or economics, or needs of parties where located in or out of the county or municipality or such regulations or ordinances are preempted by federal law. Without such a finding by the commission, no route shall be designated which violates local land-use zoning, or building rules, or regulations, or ordinances

An ordinance or regulation is preempted by federal law if:

(1) The ordinance or regulation directly conflicts with any federal statute, regulation, standard, or common law pertaining to the same subject matter;

(2) Any applicable federal statute expressly prohibits a state or political subdivision from enacting any ordinance, regulation, or standard pertaining to the same subject matter; or

(3) Any applicable federal statute delegates to a federal agency sole authority to enact any regulation or standard pertaining to the same subject matter"

On page 4, line 15, of the House Commerce and Energy Engrossed bill, delete " 5" and insert " 2"

On page 5, line 27, of the House Commerce and Energy Engrossed bill, delete " model" and insert " analysis"

On page 5, line 29, of the House Commerce and Energy Engrossed bill, delete " model" and insert " analysis, or a portion of the dispersion analysis,"

On page 5, line 29, of the House Commerce and Energy Engrossed bill, delete " model" and insert " analysis, or a portion of the dispersion analysis,"

On page 5, line 29, of the House Commerce and Energy Engrossed bill, delete " shall" and insert " must"

On page 5, line 30, of the House Commerce and Energy Engrossed bill, after "record." insert "

The commission must make the dispersion analysis available, in relevant part, to each applicable county, emergency manager, and law enforcement agency. The commission shall make available a dispersion analysis report to the public."

On page 6, line 2, of the House Commerce and Energy Engrossed bill, delete " either" and insert " a pipeline facility employee,"

On page 6, line 3, of the House Commerce and Energy Engrossed bill, after "state" insert the comma

On page 6, after line 3, of the House Commerce and Energy Engrossed bill, insert: "

Section 14. That a NEW SECTION be added to title 43:

Sections 14 to 15, inclusively, of this Act may be cited as the Landowner Bill of Rights."

On page 6, after line 3, of the House Commerce and Energy Engrossed bill, insert: "

Section 15. That a NEW SECTION be added to title 43:

Any landowner granting a carbon pipeline easement has the following rights:

(1) Each pipeline placed in a carbon pipeline easement must meet the minimum depth requirement in section 8 of this Act;

- 1 (2) The entity holding rights in the carbon pipeline easement must repair any damage to drain
2 tile as set forth in section 9 of this Act;
- 3 (3) An operator of a pipeline facility carrying carbon dioxide is liable to a landowner for any leaks
4 or repairs as provided in section 9 of this Act;
- 5 (4) An operator of a pipeline facility carrying carbon dioxide must indemnify the owner as
6 provided in section 10 of this Act;
- 7 (5) Any applicant desiring to obtain a permit to operate a pipeline facility carrying carbon dioxide
8 must file the plan as provided in section 11 of this Act;
- 9 (6) Any applicant desiring to obtain a permit to operate a pipeline facility carrying carbon dioxide
10 must file a disclosure of the dispersion analysis as provided in section 12 of this Act;
- 11 (7) Any applicant desiring to obtain a permit to operate a carbon dioxide pipeline facility must
12 engage a landowner as required by section 13 of this Act;
- 13 (8) Each carbon pipeline easement agreement must include a statement disclosing the
14 information in HB 1186, § 2, if enacted by the Ninety-Ninth Legislature;
- 15 (9) If the easement holder mortgages or otherwise encumbers to any party any part of the
16 easement holder's rights and interests under the carbon pipeline easement, the
17 mortgage or encumbrance is enforceable only as permitted in HB 1186, § 2, if enacted
18 by the Ninety-Ninth Legislature;
- 19 (10) A carbon pipeline easement is not enforceable after the period of time set forth in HB 1186,
20 § 2, if enacted by the Ninety-Ninth Legislature;
- 21 (11) An operator of a pipeline facility holding the right in the carbon pipeline easement must
22 initiate business operations within the time period set forth in HB 1186, § 2, if enacted
23 by the Ninety-Ninth Legislature;
- 24 (12) A carbon pipeline easement expires after the passing of a period of nonuse as set forth
25 in HB 1186, § 2, if enacted by the Ninety-Ninth Legislature;
- 26 (13) A carbon pipeline easement must be in writing as required by HB 1186, § 2, if enacted by
27 the Ninety-Ninth Legislature;
- 28 (14) A landowner granting a carbon pipeline easement has the examination and survey
29 protection rights as set forth in § 21-35-31; and
- 30 (15) To receive the one-time payment as provided in HB 1185, § 1, if enacted by the Ninety-
31 Ninth Legislature."

32 Respectfully submitted,
33 Casey Crabtree, Chair

Respectfully submitted,
Will Mortenson, Chair

34 MR. SPEAKER:

35 The SB127 A Conference Committee on **SB 127** respectfully reports that it has considered the
36 disagreement of the two houses, and returns the same with the recommendation that said bill be
37 amended as follows:

38

127B

On page 3, line 20, of the House Engrossed bill, after "2024" insert ". A school district complies with this section if the district's average teacher compensation is at least ninety-seven percent of the average teacher compensation otherwise required by this section".

Respectfully submitted,
Kyle Schoenfish, Chair

Respectfully submitted,
Hugh M. Bartels, Chair

MR. SPEAKER:

The HB1185 A Conference Committee on **HB 1185** respectfully reports that it has considered the disagreement of the two houses, and returns the same with the recommendation that said bill be amended as follows:

1185G

On page 1, line 16, of the Senate Commerce and Energy Engrossed bill, after "15-6-4" insert " or sent by certified mail with return receipt requested"

On page 2, line 3, of the Senate Commerce and Energy Engrossed bill, delete " pipeline for the transmission of carbon dioxide" and insert " common carrier, as"

On page 2, line 3, of the Senate Commerce and Energy Engrossed bill, after "dioxide" insert " described in § 49-7-11".

Respectfully submitted,
Will Mortenson, Chair

Respectfully submitted,
Casey Crabtree, Chair

MR. SPEAKER:

The HB1186 A Conference Committee on **HB 1186** respectfully reports that it has considered the disagreement of the two houses, and returns the same with the recommendation that said bill be amended as follows:

1186E

On the Senate Commerce and Energy Engrossed bill, delete the previously adopted amendment(s), thus restoring the bill to the House Commerce and Energy Engrossed version.

On page 1, line 8, after "pipeline." insert "

For the purposes of section 2 of this Act, the term "initiate business operations" means the filing of a permit or an application with the state, a political subdivision of the state, a federally recognized Indian tribe, or a federal agency having jurisdiction over the project for permitting purposes."

On page 1, line 10, after "SECTION:" insert "(1) "

On page 1, line 15, after "granted." insert "(2) "

On page 1, line 17, delete " fifty" and insert " ninety-nine"

On page 1, line 17, after "years. " insert "

(3) "

1 On page 1, line 17, delete " if no permit has been granted by the Public Utilities Commission
2 pertaining to the transportation of carbon dioxide associated with the easement " and insert " if the
3 operator does not initiate business operations "

4 On page 1, line 19, delete " effective" and insert " recording"

5 On page 1, line 20, after "easement." delete " In addition to an initial payment for the
6 easement, payments associated with the granting or continuance of any carbon pipeline easement
7 must be made on an annual basis to the owner of record of the real property and must include a
8 payment of at least one dollar per linear foot of carbon pipeline on the property, payable each year
9 the pipeline is engaged in actual transportation of carbon dioxide."

10 On page 2, line 1, after "dioxide." insert "(4) "

11 On page 2, line 8, after "agreement." insert "

12 (5) Any carbon pipeline easement shall expire after five years of nonuse at any time after the
13 issuance of a permit by the Public Utilities Commission."

14 Respectfully submitted,
15 Will Mortenson, Chair

Respectfully submitted,
Casey Crabtree, Chair

16 MR. SPEAKER:

17 The SB144 A Conference Committee on **SB 144** respectfully reports that it has considered the
18 disagreement of the two houses, and returns the same with the recommendation that said bill be
19 amended as follows:

20 144J

21 On page 1, line 1, of the House Engrossed bill, after "terminal" insert " infrastructure projects
22 and terminal"

23 On page 1, line 1, of the House Engrossed bill, delete the comma and insert " and"

24 On page 1, line 2, of the House Engrossed bill, after "expansion" delete ", and infrastructure
25 projects"

26 On page 1, line 5, of the House Engrossed bill, delete " terminal" and insert " the"

27 On page 1, line 6, of the House Engrossed bill, after "demands" insert " of terminals"

28 144N

29 On the previously adopted amendment (144J), On page 1, line 5, delete " \$1,903" and insert
30 " \$10,000,000".

31 Respectfully submitted,
32 Jean Hunhoff, Chair

Respectfully submitted,
Tony Venhuizen, Chair

MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has adopted the report of the Standing Committee on Joint Legislative Procedure relative to the calendar and for the One-Hundredth Legislative Session.

Respectfully,
Peggy Laurenz, Secretary

MOTIONS AND RESOLUTIONS

Rep. Mortenson moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on Thursday, March 7, 2024, the 37th legislative day.

Which motion prevailed.

Rep. Overweg moved that the House do concur in Senate amendments to **HB 1093**.

The question being on Rep. Overweg's motion that the House do concur in Senate amendments to **HB 1093**.

And the roll being called:

Yeas 70, Nays 0, Excused 0, Absent 0

Yeas: Arlint, Auch, Aylward, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, Conzet, DeGroot, Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann, Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems, Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Otten (Ernie), Overweg, Perry, Peterson (Drew), Peterson (Sue), Pinnow, Pourier, Randolph, Rehfeldt, Reimer, Reisch, Sauder, Schaeftbauer, Schneider, Shorma, Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

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

CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES

Rep. Mortenson moved that the report of the Conference Committee on **SB 201** as found on page 484 of the House Journal be adopted.

The question being on Rep. Mortenson's motion that the report of the Conference Committee on **SB 201** be adopted.

And the roll being called:

Yeas 39, Nays 31, Excused 0, Absent 0

Yeas: Arlint, Blare, Callies, Cammack, Chase, Conzet, DeGroot, Derby, Drury, Duba, Duffy, Fitzgerald, Healy, Heermann, Jamison, Kassin, Koth, Krull, Kull, Lesmeister, Massie, Mortenson, Mulder, Nelson, Peterson (Drew), Rehfeldt, Reimer, Reisch, Sauder, Schneider, Shorma, St. John, Stevens, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

1 Nays: Auch, Aylward, Bahmuller, Chaffee, Deutsch, Donnell, Emery, Gross, Hansen, Jensen
2 (Kevin), Jensen (Phil), Karr, Krohmer, Ladner, Lems, May, Mills, Moore, Mulally, Odenbach, Otten
3 (Ernie), Overweg, Perry, Peterson (Sue), Pinnow, Pourier, Randolph, Schaeftbauer, Sjaarda, Soye,
4 and Teunissen

5 So the motion having received an affirmative vote of a majority of the members-elect, the
6 Speaker declared the motion carried and the report was adopted.

7 Rep. Stevens moved that the report of the Conference Committee on **SB 127** as found on page
8 489 of the House Journal be adopted.

9 The question being on Rep. Stevens' motion that the report of the Conference Committee on
10 **SB 127** be adopted.

11 And the roll being called:

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

13 Yeas: Arlint, Auch, Bahmuller, Callies, Cammack, Chaffee, Chase, Conzet, DeGroot, Derby,
14 Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Gross, Hansen, Healy, Heermann,
15 Jamison, Jensen (Kevin), Jensen (Phil), Karr, Kassin, Koth, Krohmer, Krull, Kull, Ladner, Lems,
16 Lesmeister, Massie, May, Mills, Moore, Mortenson, Mulally, Mulder, Nelson, Odenbach, Otten (Ernie),
17 Perry, Peterson (Sue), Pourier, Rehfeldt, Reimer, Reisch, Sauder, Schaeftbauer, Schneider, Shorma,
18 Sjaarda, Soye, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman,
19 and Speaker Bartels

20 Nays: Blare, Overweg, Peterson (Drew), Pinnow, and Randolph

21 Absent: Aylward

22 So the motion having received an affirmative vote of a majority of the members-elect, the
23 Speaker declared the motion carried and the report was adopted.

24 Rep. Mortenson moved that the report of the Conference Committee on **HB 1185** as found on
25 page 490 of the House Journal be adopted.

26 The question being on Rep. Mortenson's motion that the report of the Conference Committee
27 on **HB 1185** be adopted.

28 And the roll being called:

29 Yeas 42, Nays 28, Excused 0, Absent 0

30 Yeas: Arlint, Blare, Callies, Cammack, Chaffee, Chase, Conzet, DeGroot, Derby, Deutsch,
31 Drury, Duba, Duffy, Emery, Fitzgerald, Healy, Heermann, Jamison, Kassin, Koth, Krull, Kull,
32 Lesmeister, Massie, Mortenson, Mulder, Nelson, Peterson (Drew), Rehfeldt, Reimer, Reisch, Sauder,
33 Schneider, Shorma, St. John, Stevens, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and
34 Speaker Bartels

35 Nays: Auch, Aylward, Bahmuller, Donnell, Gross, Hansen, Jensen (Kevin), Jensen (Phil), Karr,
36 Krohmer, Ladner, Lems, May, Mills, Moore, Mulally, Odenbach, Otten (Ernie), Overweg, Perry,
37 Peterson (Sue), Pinnow, Pourier, Randolph, Schaeftbauer, Sjaarda, Soye, and Teunissen

38 So the motion having received an affirmative vote of a majority of the members-elect, the
39 Speaker declared the motion carried and the report was adopted.

Rep. Mortenson moved that the report of the Conference Committee on **HB 1186** as found on page 490 of the House Journal be adopted.

The question being on Rep. Mortenson's motion that the report of the Conference Committee on **HB 1186** be adopted.

And the roll being called:

Yeas 41, Nays 29, Excused 0, Absent 0

Yeas: Arlint, Blare, Callies, Cammack, Chase, Conzet, DeGroot, Derby, Deutsch, Drury, Duba, Duffy, Emery, Fitzgerald, Healy, Heermann, Jamison, Kassin, Koth, Krull, Kull, Lesmeister, Massie, Mortenson, Mulder, Nelson, Peterson (Drew), Rehfeldt, Reimer, Reisch, Sauder, Schneider, Shorma, St. John, Stevens, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

Nays: Auch, Aylward, Bahmuller, Chaffee, Donnell, Gross, Hansen, Jensen (Kevin), Jensen (Phil), Karr, Krohmer, Ladner, Lems, May, Mills, Moore, Mulally, Odenbach, Otten (Ernie), Overweg, Perry, Peterson (Sue), Pinnow, Pourier, Randolph, Schaeftbauer, Sjaarda, Soye, and Teunissen

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and the report was adopted.

Rep. Venhuizen moved that the report of the Conference Committee on **SB 144** as found on page 491 of the House Journal be adopted.

The question being on Rep. Venhuizen's motion that the report of the Conference Committee on **SB 144** be adopted.

And the roll being called:

Yeas 55, Nays 15, Excused 0, Absent 0

Yeas: Arlint, Bahmuller, Blare, Callies, Cammack, Chaffee, Chase, Conzet, DeGroot, Derby, Deutsch, Donnell, Drury, Duba, Duffy, Emery, Fitzgerald, Healy, Heermann, Jamison, Jensen (Kevin), Kassin, Koth, Krull, Kull, Ladner, Lesmeister, Massie, Mills, Moore, Mortenson, Mulder, Nelson, Odenbach, Otten (Ernie), Perry, Peterson (Drew), Peterson (Sue), Pinnow, Pourier, Rehfeldt, Reimer, Reisch, Sauder, Schneider, Shorma, St. John, Stevens, Teunissen, Tordsen, Venhuizen, Wangsness, Weisgram, Wittman, and Speaker Bartels

Nays: Auch, Aylward, Gross, Hansen, Jensen (Phil), Karr, Krohmer, Lems, May, Mulally, Overweg, Randolph, Schaeftbauer, Sjaarda, and Soye

So the motion having received an affirmative vote of a two-thirds majority of the members-elect, the Speaker declared the motion carried and the report was adopted.

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 adopted the reports of the Conference Committees on **SB 127 and 144**.

Also MR. SPEAKER:

I have the honor to transmit herewith **SB 51** which has passed the Senate and your favorable consideration is respectfully requested.

Respectfully,
Peggy Laurenz, Secretary

SIGNING OF BILLS

The Speaker publicly read the title to

HB 1092: FOR AN ACT ENTITLED, An Act to revise provisions regarding the 911 emergency surcharge.

HB 1200: FOR AN ACT ENTITLED, An Act to increase the minimum fee required with an application for construction of an energy conversion and transmission facility.

HB 1244: FOR AN ACT ENTITLED, An Act to provide a process to withdraw a signature from a petition for an initiated measure, constitutional amendment, or a referendum on a law in certain situations and to declare an emergency.

HB 1245: FOR AN ACT ENTITLED, An Act to revise provisions related to the custody of an alleged delinquent child before and after a temporary custody hearing.

SB 80: FOR AN ACT ENTITLED, An Act to improve technology equipment for providers of elderly care and to make an appropriation therefor.

SB 146: FOR AN ACT ENTITLED, An Act to revise and repeal provisions related to threatening persons holding statewide office, judicial officers, and elected officers and to provide a penalty therefor.

SB 151: FOR AN ACT ENTITLED, An Act to revise and repeal provisions related to the licensure of athletic trainers.

SB 177: FOR AN ACT ENTITLED, An Act to permit the appointment of a circuit court judge or Supreme Court justice as a member of the Public Utilities Commission in place of a disqualified or incapacitated commissioner.

And signed the same in the presence of the House.

Rep. Drury moved that the House do now adjourn, which motion prevailed and at 2:09 p.m. the House adjourned.

Patricia Miller, Chief Clerk

