

JOURNAL OF THE HOUSE

EIGHTY-SEVENTH SESSION

FOURTEENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, February 2, 2012

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

The prayer was offered by the Chaplain, Larry Cass, followed by the Pledge of Allegiance led by House pages Courtney Chastain and Brittany Cihak.

Roll Call: All members present except Reps. Boomgarten, Elliott, Schrempp, and Vanneman who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirteenth day.

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

And we hereby move the adoption of the report.

Respectfully submitted,
Val Rausch, Chair

Which motion prevailed.

1 Also MR. SPEAKER:

2 The Committee on Transportation respectfully reports that it has had under consideration
3 HB 1257 and 1274 which were tabled.

4 Respectfully submitted,
5 Mike Verchio, Chair

6 Also MR. SPEAKER:

7 The Committee on Taxation respectfully reports that it has had under consideration
8 HB 1223 and returns the same with the recommendation that said bill do pass.

9 Also MR. SPEAKER:

10 The Committee on Taxation respectfully reports that it has had under consideration
11 HB 1146, 1207, and 1256 which were deferred to the 41st Legislative Day.

12 Respectfully submitted,
13 Mark K. Willadsen, Chair

14 Also MR. SPEAKER:

15 The Committee on Appropriations respectfully reports that it has had under consideration
16 HB 1017 and 1157 and returns the same with the recommendation that said bills do pass.

17 Also MR. SPEAKER:

18 The Committee on Appropriations respectfully reports that it has had under consideration
19 HB 1051 and returns the same with the recommendation that said bill be amended as follows:

20 1051ba

21 On page 1, line 12, of the printed bill, delete "six hundred fifty-seven" and insert "four
22 hundred eighty-two".

23 On page 6, line 7, delete "section 1" and insert "sections 1 and 12".

24 On page 6, line 17, delete "sections 2 or 3" and insert "sections 2, 3, or 12".

1 1051bb

2 On page 5, line 22, of the printed bill, delete "one hundred seventy-five thousand dollars
3 (\$175,000)" and insert "one hundred thirty-three thousand dollars (\$133,000)".

4 On page 9, after line 11, insert:

5 " Section 13. On or before January 1, 2013, and each January first thereafter, until such time
6 as the authorization granted herein expires or the authorized projects are completed, the Board
7 of Regents shall provide a report to the Joint Committee on Appropriations regarding the status
8 of the projects authorized in sections 2, 3, and 12 of this Act."

9 And that as so amended said bill do pass.

10 Also MR. SPEAKER:

11 The Committee on Appropriations respectfully reports that it has had under consideration
12 HB 1166 and returns the same with the recommendation that said bill be referred to the
13 Committee on State Affairs.

14 Also MR. SPEAKER:

15 The Committee on Appropriations respectfully reports that it has had under consideration
16 HB 1106, 1161, 1164, and 1206 which were deferred to the 41st Legislative Day.

17 Respectfully submitted,
18 Dean Wink, Chair

19 Also MR. SPEAKER:

20 The Committee on Local Government respectfully reports that it has had under
21 consideration HB 1131, 1162, and 1172 and returns the same with the recommendation that said
22 bills do pass.

23 Also MR. SPEAKER:

24 The Committee on Local Government respectfully reports that it has had under
25 consideration HB 1178 and returns the same with the recommendation that said bill do pass and
26 be placed on the consent calendar.

27 Respectfully submitted,
28 Mark Kirkeby, Chair

1

MESSAGES FROM THE SENATE

2 MR. SPEAKER:

3 I have the honor to return herewith HB 1003, 1012, and 1013 which have passed the Senate
4 without change.

5 Also MR. SPEAKER:

6 I have the honor to transmit herewith SB 22, 101, 102, and 149 which have passed the
7 Senate and your favorable consideration is respectfully requested.

8

Respectfully,

9

Fee Jacobsen, Secretary

10

MOTIONS AND RESOLUTIONS

11 HOUSE PAGE RESOLUTION 2 Introduced by: Representatives Abdallah; Blake;
12 Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden; Elliott;
13 Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen, Jon; Hawley; Hickey;
14 Hoffman; Hubbel; Hunhoff, Bernie; Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby;
15 Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson,
16 Stace; Novstrup, David; Olson, Betty; Perry; Rausch; Romkema; Rozum; Russell; Schaefer;
17 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville;
18 Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer

19 A RESOLUTION, Expressing the appreciation and gratitude of the House of Representatives
20 of the Eighty-seventh Legislature of the State of South Dakota to Kyle Anderson, Elliot
21 Brunner, Nathan Burkhalter, Courtney Chastain, Brittany Cihak, Mackenzie Foss, Morgan
22 Hemmingson, Melissa Hessman, Ashley Heupel, Lexi Jones, Elena Leitheiser, Tony Lyren,
23 Elizabeth Magstadt, Alexa Moeller, Cassidy Trapp, Sandra Yoon.

24 WHEREAS, the above named served loyally as pages for the House of Representatives of
25 the Eighty-seventh Legislative Session; and

26 WHEREAS, the members of the Eighty-seventh House of Representatives express their
27 most sincere appreciation to these young people for their service to the state; and

28 WHEREAS, the members extend to these young people their wishes for every success in
29 life:

30 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
31 seventh Legislature of the State of South Dakota, that a personal copy of this resolution be duly
32 certified and furnished to each page on this last day of service.

1 Rep. Hoffman moved that House Page Resolution 2 be adopted.

2 Which motion prevailed and the resolution was adopted.

3 HCR 1005: A CONCURRENT RESOLUTION, Urging Congress to clearly delegate
4 responsibility for the regulation of hydraulic fracturing to the states.

5 Rep. Jensen moved that HCR 1005 as found on page 273 of the House Journal be adopted.

6 The question being on Rep. Jensen's motion that HCR 1005 be adopted.

7 And the roll being called:

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

9 Yeas:

10 Abdallah; Bolin; Brunner; Carson; Conzet; Cronin; Deelstra; Dryden; Gosch; Greenfield;
11 Haggar; Hansen (Jon); Hickey; Hoffman; Hubbel; Hunt; Jensen; Kirkeby; Kopp; Liss; Lust;
12 Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Perry;
13 Romkema; Rozum; Russell; Schaefer; Scott; Sigdestad; Sly; Solum; Steele; Stricherz; Tornow;
14 Tulson; Turbiville; Van Gerpen; Venner; Verchio; White; Wick; Willadsen; Wink; Speaker
15 Rausch

16 Nays:

17 Blake; Dennert; Fargen; Feickert; Feinstein; Gibson; Hawley; Hunhoff (Bernie); Iron Cloud III;
18 Jones; Killer; Kirschman; Kloucek; Lucas; Street; Wismer

19 Excused:

20 Boomgarden; Elliott; Schrempp; Vanneman

21 So the motion having received an affirmative vote of a majority of the members-elect, the
22 Speaker declared the motion carried and HCR 1005 was adopted.

23 SCR 1: A CONCURRENT RESOLUTION, Honoring the University of South Dakota on
24 its one hundred fiftieth anniversary.

25 Rep. Gosch moved that SCR 1 as found on pages 209 to 211 of the Senate Journal be
26 concurred in.

27 The question being on Rep. Gosch's motion that SCR 1 be concurred in.

28 And the roll being called:

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

1 Yeas:

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

9 Excused:

10 Boomgarden; Elliott; Schrempp; Vanneman

11 So the motion having received an affirmative vote of a majority of the members-elect, the
12 Speaker declared the motion carried and SCR 1 was concurred in.

13 **CONSIDERATION OF REPORTS OF COMMITTEES**

14 Rep. Lust moved that the reports of the Standing Committees on
15 Education on HB 1128 as found on pages 270 and 271 of the House Journal; also
16 Judiciary on HB 1143 as found on pages 271 and 272 of the House Journal; also
17 Judiciary on HB 1181 as found on page 272 of the House Journal be adopted.
18 Which motion prevailed.

19 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

20 SB 22: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
21 vacation or the change of location of county and township highways on school and public lands.

22 Was read the first time and referred to the Committee on Local Government.

23 SB 101: FOR AN ACT ENTITLED, An Act to authorize counties to borrow money using
24 promissory notes.

25 Was read the first time and referred to the Committee on Local Government.

1 SB 102: FOR AN ACT ENTITLED, An Act to clarify the procedures for the
2 apportionment of funds among townships.

3 Was read the first time and referred to the Committee on Transportation.

4 SB 149: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the
5 conditional release of persons charged with domestic abuse.

6 Was read the first time and referred to the Committee on Judiciary.

7 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

8 HB 1171: FOR AN ACT ENTITLED, An Act to establish a board to regulate certain
9 emerging complementary health professionals with no current state regulatory board.

10 Having had its second reading was up for consideration and final passage.

11 1171jd

12 Rep. Munsterman moved that HB 1171 be amended as follows:

13 On page 1, line 8, of the House Health and Human Services Committee engrossed bill,
14 after "professions" insert ", with the approval of the Legislature,".

15 On page 1, line 10, before "." insert "by July 1 of the same year the Legislature approves
16 the first profession to be licensed under the board".

17 On page 2, line 9, delete everything after "shall" and insert "report annually to the secretary
18 of health on matters concerning emerging complementary health professions.".

19 On page 2, delete lines 10 to 11, inclusive.

20 On page 2, delete lines 15 to 24, inclusive.

21 On page 3, delete lines 1 to 24, inclusive.

22 On page 4, delete lines 1 to 15, inclusive.

23 A roll call vote was requested and supported.

1 The question being on Rep. Munsterman's motion that HB 1171 be amended.

2 And the roll being called:

3 Yeas 46, Nays 20, Excused 4, Absent 0

4 Yeas:

5 Bolin; Brunner; Carson; Conzet; Dennert; Dryden; Feickert; Greenfield; Haggar; Hansen (Jon);
6 Hawley; Hickey; Hoffman; Hubbel; Hunt; Iron Cloud III; Jensen; Killer; Kirkeby; Kopp; Liss;
7 Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty);
8 Romkema; Rozum; Russell; Schaefer; Scott; Sigdestad; Sly; Solum; Steele; Stricherz; Tulson;
9 Turbiville; Van Gerpen; Venner; Verchio; White; Willadsen; Wink

10 Nays:

11 Abdallah; Blake; Cronin; Deelstra; Fargen; Feinstein; Gibson; Gosch; Hunhoff (Bernie); Jones;
12 Kirschman; Kloucek; Lucas; Lust; Perry; Street; Tornow; Wick; Wismer; Speaker Rausch

13 Excused:

14 Boomgarden; Elliott; Schrempp; Vanneman

15 So the motion having received an affirmative vote of a majority of the members present,
16 the Speaker declared the motion carried and HB 1171 was so amended.

17 The question being "Shall HB 1171 pass as amended?"

18 And the roll being called:

19 Yeas 39, Nays 27, Excused 4, Absent 0

20 Yeas:

21 Bolin; Brunner; Dennert; Feickert; Greenfield; Haggar; Hickey; Hubbel; Hunhoff (Bernie);
22 Hunt; Iron Cloud III; Jensen; Killer; Kirkeby; Kopp; Liss; Magstadt; Miller; Moser;
23 Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Romkema; Rozum; Russell;
24 Schaefer; Sly; Solum; Steele; Stricherz; Tulson; Turbiville; Van Gerpen; Venner; Verchio;
25 White; Willadsen; Wink

26 Nays:

27 Abdallah; Blake; Carson; Conzet; Cronin; Deelstra; Dryden; Fargen; Feinstein; Gibson; Gosch;
28 Hansen (Jon); Hawley; Hoffman; Jones; Kirschman; Kloucek; Lucas; Lust; Perry; Scott;
29 Sigdestad; Street; Tornow; Wick; Wismer; Speaker Rausch

30 Excused:

31 Boomgarden; Elliott; Schrempp; Vanneman

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

1 HB 1035: FOR AN ACT ENTITLED, An Act to allow the disclosure of the status of
2 certain insurance investigations and examinations.

3 Was read the second time.

4 The question being "Shall HB 1035 pass as amended?"

5 And the roll being called:

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

7 Yeas:

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

15 Excused:

16 Boomgarden; Elliott; Schrempp; Vanneman

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

19 Rep. Solum moved that HB 1120 be deferred to Monday, February 6, the 15th legislative
20 day.

21 Which motion prevailed.

22 HB 1091: FOR AN ACT ENTITLED, An Act to revise the issuance of temporary
23 nonresident waterfowl licenses.

24 Was read the second time.

25 Rep. Lust moved the previous question.

26 Which motion prevailed.

27 The question being "Shall HB 1091 pass as amended?"

28 And the roll being called:

1 Yeas 29, Nays 37, Excused 4, Absent 0

2 Yeas:

3 Bolin; Brunner; Cronin; Dennert; Feickert; Greenfield; Haggar; Hoffman; Hubbel; Kloucek;
4 Kopp; Liss; Lust; Magstadt; Miller; Nelson (Stace); Novstrup (David); Olson (Betty);
5 Romkema; Rozum; Russell; Schaefer; Sigdestad; Solum; Street; Tornow; Van Gerpen; Verchio;
6 Wink

7 Nays:

8 Abdallah; Blake; Carson; Conzet; Deelstra; Dryden; Fargen; Feinstein; Gibson; Gosch; Hansen
9 (Jon); Hawley; Hickey; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby;
10 Kirschman; Lucas; Moser; Munsterman; Perry; Scott; Sly; Steele; Stricherz; Tulson; Turbiville;
11 Venner; White; Wick; Willadsen; Wismer; Speaker Rausch

12 Excused:

13 Boomgarden; Elliott; Schrempp; Vanneman

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

16 HB 1183: FOR AN ACT ENTITLED, An Act to limit copayment or coinsurance amounts
17 for physical and occupational therapy services.

18 Was read the second time.

19 The question being "Shall HB 1183 pass as amended?"

20 And the roll being called:

21 Yeas 58, Nays 7, Excused 5, Absent 0

22 Yeas:

23 Abdallah; Blake; Bolin; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden; Feickert;
24 Feinstein; Gibson; Gosch; Greenfield; Haggar; Hickey; Hoffman; Hubbel; Hunhoff (Bernie);
25 Hunt; Iron Cloud III; Jensen; Jones; Killer; Kirkeby; Kopp; Liss; Lucas; Lust; Magstadt; Miller;
26 Moser; Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Romkema; Rozum;
27 Russell; Schaefer; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson;
28 Turbiville; Van Gerpen; Venner; Verchio; White; Wick; Wink; Speaker Rausch

29 Nays:

30 Fargen; Hansen (Jon); Hawley; Kirschman; Perry; Willadsen; Wismer

31 Excused:

32 Boomgarden; Elliott; Kloucek; Schrempp; Vanneman

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

1 HB 1190: FOR AN ACT ENTITLED, An Act to require Legislative approval before a
2 health insurance exchange is created or implemented.

3 Was read the second time.

4 The question being "Shall HB 1190 pass as amended?"

5 And the roll being called:

6 Yeas 45, Nays 21, Excused 4, Absent 0

7 Yeas:

8 Abdallah; Bolin; Brunner; Conzet; Cronin; Deelstra; Dryden; Gosch; Greenfield; Haggar;
9 Hansen (Jon); Hickey; Hoffman; Hubbel; Hunt; Jensen; Kirkeby; Kloucek; Kopp; Liss; Lust;
10 Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty);
11 Romkema; Rozum; Russell; Schaefer; Sly; Solum; Steele; Stricherz; Tornow; Tulson;
12 Turbiville; Van Gerpen; Venner; Verchio; Wick; Willadsen; Speaker Rausch

13 Nays:

14 Blake; Carson; Dennert; Fargen; Feickert; Feinstein; Gibson; Hawley; Hunhoff (Bernie); Iron
15 Cloud III; Jones; Killer; Kirschman; Lucas; Perry; Scott; Sigdestad; Street; White; Wink;
16 Wismer

17 Excused:

18 Boomgarden; Elliott; Schrempp; Vanneman

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

21 HB 1029: FOR AN ACT ENTITLED, An Act to authorize the publication of the names
22 of certain delinquent taxpayers.

23 Was read the second time.

24 The question being "Shall HB 1029 pass as amended?"

25 And the roll being called:

26 Yeas 61, Nays 3, Excused 6, Absent 0

1 Yeas:

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

9 Nays:

10 Brunner; Liss; Olson (Betty)

11 Excused:

12 Abdallah; Boomgarden; Cronin; Elliott; Schrempp; Vanneman

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

15 HB 1116: FOR AN ACT ENTITLED, An Act to exempt bedding used for agricultural
16 purposes from sales and use taxes.

17 Was read the second time.

18 The question being "Shall HB 1116 pass as amended?"

19 And the roll being called:

20 Yeas 52, Nays 11, Excused 7, Absent 0

21 Yeas:

22 Blake; Brunner; Deelstra; Dennert; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield;
23 Haggar; Hansen (Jon); Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud
24 III; Jensen; Jones; Killer; Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Magstadt; Miller;
25 Moser; Munsterman; Nelson (Stace); Olson (Betty); Rozum; Russell; Schaefer; Scott;
26 Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Van Gerpen; Venner; White;
27 Wick; Wismer; Speaker Rausch

28 Nays:

29 Bolin; Carson; Conzet; Dryden; Lust; Novstrup (David); Perry; Romkema; Turbiville; Verchio;
30 Willadsen

31 Excused:

32 Abdallah; Boomgarden; Cronin; Elliott; Schrempp; Vanneman; Wink

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

1 HB 1158: FOR AN ACT ENTITLED, An Act to allow students attending nonpublic high
2 schools to be eligible for the jump start scholarship program.

3 Was read the second time.

4 Rep. Hansen moved that HB 1158 be deferred to Tuesday, February 7, the 16th legislative
5 day.

6 Which motion prevailed.

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

9 Was read the second time.

10 The question being "Shall HB 1121 pass?"

11 And the roll being called:

12 Yeas 63, Nays 1, Excused 6, Absent 0

13 Yeas:

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

21 Nays:

22 Russell

23 Excused:

24 Boomgarden; Elliott; Schrempp; Tornow; Vanneman; Wink

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

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

29 Was read the second time.

1 The question being "Shall HB 1125 pass?"

2 And the roll being called:

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

4 Yeas:

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

12 Nays:

13 Carson; Fargen

14 Excused:

15 Boomgarden; Brunner; Elliott; Schrempp; Tornow; Vanneman; Wink

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

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

20 Was read the second time.

21 The question being "Shall HB 1114 pass?"

22 And the roll being called:

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

24 Yeas:

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

32 Excused:

33 Boomgarden; Brunner; Elliott; Schrempp; Tornow; Vanneman; Wink

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

3 HB 1186: FOR AN ACT ENTITLED, An Act to prohibit registered sex offenders from
4 circulating petitions and to provide a penalty for the violation thereof.

5 Was read the second time.

6 The question being "Shall HB 1186 pass?"

7 And the roll being called:

8 Yeas 61, Nays 3, Excused 6, Absent 0

9 Yeas:

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

17 Nays:

18 Feinstein; Killer; Rozum

19 Excused:

20 Boomgarden; Brunner; Elliott; Schrempp; Vanneman; Wink

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

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

24 Rep. Lust moved that SB 3 and 55 be deferred to Monday, February 6, the 15th legislative
25 day.

26 Which motion prevailed.

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

1

REPORTS OF STANDING COMMITTEES

2 MR. SPEAKER:

3 The Committee on Health and Human Services respectfully reports that it has had under
4 consideration HB 1263 and returns the same with the recommendation that said bill do pass.

5 Also MR. SPEAKER:

6 The Committee on Health and Human Services respectfully reports that it has had under
7 consideration HB 1150 and 1260 which were deferred to the 41st Legislative Day.

8 Respectfully submitted,
9 Scott Munsterman, Vice Chair

10 Also MR. SPEAKER:

11 The Committee on Legislative Procedure respectfully reports that HB 1022, 1023, and
12 1025 were delivered to his Excellency, the Governor, for his approval at 8:50 a.m., February 2,
13 2012.

14 Also MR. SPEAKER:

15 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
16 and Enrolling has carefully compared HB 1003, 1012, and 1013 and finds the same correctly
17 enrolled.

18 Respectfully submitted,
19 Val Rausch, Chair

20 **SIGNING OF BILLS**

21 The Speaker publicly read the title to

22 HB 1003: FOR AN ACT ENTITLED, An Act to revise the limitation on the increases and
23 decreases that may be made to the total taxable value of cropland and noncropland.

24 HB 1012: FOR AN ACT ENTITLED, An Act to require public hearings for applications
25 for oil and gas orders only if contested and to reduce the number of hearing notice publications
26 required for oil and gas cases.

