

**8 Youth Minimum Wage**--SB 177, brought by Senator Novrstrup, established a minimum wage of \$7.50 for wage earners under 18 years of age. It came in response to the initiated constitutional amendment passed by South Dakota voters in November of 2014, which established a minimum wage of \$8.50/hr for wage earners, to be adjusted annually for cost of living. We gave pluses to the nays. First, minimum wage laws have been in place in the United States for generations. The results have always been the same: more unemployment for unskilled laborers and no added prosperity for most workers. In simple terms, artificially propping up the price of labor has proven without fail to be terrible economics. Second, although a minimum wage itself is a bad idea, the youth minimum wage is unconstitutional, violating the new amendment passed last year by the voters in the state. If that amendment is to be changed, the proper way to do so is through another amendment, rather than through statute. The bill passed the Senate on Feb. 18th 26-7. It passed the House 44-24 on March 4th. Petitioners have since referred the law to the voters for the November, 2016 ballot.

**9, 10**--See corresponding House vote numbers and descriptions.

## The South Dakota Freedom Index

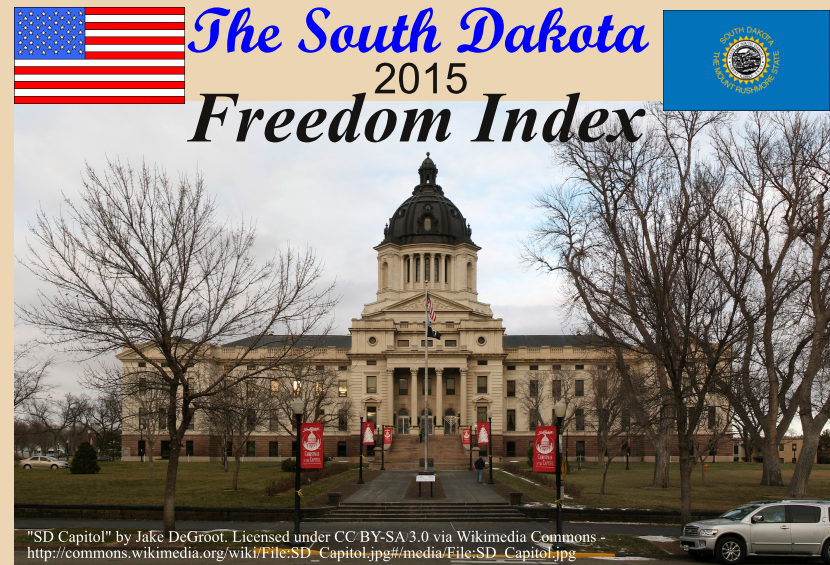
is a project of the South Dakota Freedom Coalition, a committee of concerned citizens. It rates all South Dakota Legislators based on their adherence to constitutional principles of limited government, fiscal responsibility, federalism, and protection of life, liberty, property, and pursuit of happiness. To learn how any legislator voted, find him or her in the appropriate vote chart.

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## How your State Legislators voted on the "Top Ten" issues affecting your freedom.

Our first look at the voting records of the SD State Legislators serving two-year terms beginning January, 2015. How every lawmaker voted on issues including a federal Constitutional Convention, the right to keep and bear arms, taxes, Education, Genocide, and more.

## About this Index

The average House score for this Index (votes 1-10) is 51%. The average Senate score is 32%. Representatives Campbell (R-Rapid City), Kaiser (R-Aberdeen), and May (R-Kyle) all scored 100% in the House. Rep's Marty (R-Prairie City) and Russell (R-Hot Springs) both received 90%. The highest score in the Senate (80%) was earned by Sen. Betty Olson (R-Prairie City). We encourage readers to examine how their own legislators voted on each measure listed as well as overall. We also encourage readers to commend legislators for their freedom-friendly votes and to urge improvement where needed. This is our first annual report for legislators who began their 2-year terms in January of 2015. Our next report will cover the 2016 legislative session.

Scores are derived by dividing the number of freedom-friendly votes (pluses) by the total number of votes out of ten cast by the legislator and multiplying by 100%. A "?" means the legislator did not vote. If he or she cast fewer than 5 votes, a score is not assigned. Match vote numbers to vote descriptions within this Index. To find your own state legislators visit [legis.sd.gov/Legislators/Who\\_Are\\_My\\_Legislators/default.aspx](http://legis.sd.gov/Legislators/Who_Are_My_Legislators/default.aspx) or call (605)-773-3251.

House Vote Number											House Vote Number															
Dist #	Name/(Party)	1	2	3	4	5	6	7	8	9	10	Score	Dist #	Name/(Party)	1	2	3	4	5	6	7	8	9	10	Score	
1	Feickert (D)	+	+	-	-	-	+	+	+	+	-	60%	18	Stevens (R.)	-	-	+	+	+	-	+	-	-	-	40%	
1	McCleerey (D)	+	+	-	-	-	+	-	-	+	-	40%	19	Peterson, K (R.)	-	+	+	-	+	-	+	-	+	-	-	50%
2	Greenfield, L (R.)	+	+	-	+	+	-	+	+	+	+	80%	19	Schoenfish (R.)	+	-	-	+	+	+	-	-	+	-	-	50%
2	Tulson (R.)	+	+	?	+	+	-	+	+	-	-	67%	20	Klumb (R.)	+	+	-	+	+	+	-	+	+	+	-	70%
3	Kaiser (R.)	+	+	+	+	+	+	+	+	+	+	100%	20	Rozum (R.)	+	+	-	-	+	-	-	-	-	-	-	30%
3	Novstrup, A (R.)	-	-	+	?	+	-	?	+	+	-	50%	21	Bartling (D)	+	+	-	-	-	+	-	-	+	-	-	40%
4	Deutsch (R.)	-	-	+	+	+	-	+	-	+	-	50%	21	Qualm (R.)	-	-	-	+	+	-	+	+	+	-	-	50%
4	Wiik (R.)	-	-	+	+	+	-	+	+	-	-	50%	22	Gibson (D)	+	+	-	-	-	+	-	-	+	-	-	40%
5	Schoenbeck (R.)	-	-	+	+	+	?	+	-	-	?	50%	22	Werner (R.)	-	-	-	+	-	+	-	+	-	-	-	30%
5	Solum (R.)	+	+	+	-	+	-	+	-	-	-	50%	23	Cronin (R.)	-	-	+	+	-	-	+	-	+	-	-	40%
6	Latterell (R.)	-	-	+	+	+	-	+	+	+	+	70%	23	Harrison (R.)	-	-	-	+	+	-	+	-	-	-	-	30%
6	Otten, H. (R.)	-	-	-	+	+	-	-	-	-	-	20%	24	Duvall (R.)	+	+	-	-	+	-	+	-	+	-	-	50%
7	Hawley (D)	-	+	-	-	+	+	-	-	+	-	30%	24	Rounds (R.)	+	+	+	+	+	-	+	-	+	+	-	60%
7	Munsterman (R.)	+	+	-	+	?	-	+	-	?	-	50%	25	Hunt (R.)	-	-	-	+	+	-	+	+	+	-	-	40%
8	Heinemann, L. (R.)	-	-	+	+	+	-	+	-	+	-	50%	25	Langer (R.)	-	-	+	+	+	-	+	+	-	-	-	50%
8	Wollmann (R.)	-	-	+	-	+	-	+	-	+	-	40%	26A	Bordeaux (D)	+	+	?	-	-	+	-	-	+	-	-	44%
9	Hawks (D)	+	+	-	-	-	+	-	-	?	+	44%	26B	Schaefer (R.)	?	?	-	?	+	-	?	+	+	-	-	50%
9	Hickey (R.)	-	-	-	+	+	?	-	+	?	?	50%	27	Killer (D)	+	+	?	-	-	+	-	+	+	+	-	56%
10	Haggard, D (R.)	-	-	+	+	+	-	+	+	+	-	60%	27	May (R.)	+	+	+	+	+	+	+	+	+	+	-	100%
10	Haugaard (R.)	-	-	-	+	+	-	+	+	+	-	50%	28A	Schrempff (D)	+	+	+	+	?	?	-	-	+	?	-	57%
11	Willadsen (R.)	-	-	-	+	+	-	+	-	+	-	40%	28B	Marty (R.)	+	+	+	+	+	+	+	+	+	+	+	90%
11	Stalzer (R.)	-	-	+	+	+	-	+	+	+	-	60%	29	Brunner (R.)	+	+	-	+	+	+	+	+	+	+	+	80%
12	Beal (R.)	-	-	+	+	+	-	+	+	+	-	60%	29	Wink (R.)	-	-	-	+	+	-	+	+	+	-	-	50%
12	Jensen, A. (R.)	-	-	+	-	-	-	+	-	-	-	20%	30	Russell (R.)	+	+	+	+	+	+	+	+	+	-	+	90%
13	Mickelson (R.)	-	-	+	-	+	-	+	-	+	-	40%	30	Verchio (R.)	-	-	-	?	+	-	?	+	+	+	-	38%
13	Westra (R.)	-	-	+	+	+	-	+	+	+	-	60%	31	Johns (R.)	-	-	+	+	-	-	+	-	-	-	-	30%
14	Holmes (R.)	+	-	-	+	-	-	-	-	-	-	20%	31	Romkema (R.)	-	-	+	-	-	-	+	-	+	-	-	30%
14	Zikmund (R.)	-	-	-	+	+	-	+	+	+	-	50%	32	Conzet (R.)	-	-	?	+	+	-	+	-	-	-	-	33%
15	Kirschman (D)	-	-	-	-	-	+	-	+	+	-	20%	32	Gosch (R.)	-	-	+	+	+	-	+	+	+	+	-	60%
15	Soli (D)	+	+	-	-	-	+	-	-	+	-	40%	33	Craig (R.)	-	-	-	+	+	+	?	+	+	+	?	63%
16	Anderson (R.)	-	-	-	+	+	-	+	+	+	-	50%	33	Sly (R.)	+	+	-	+	+	-	-	-	-	-	-	40%
16	Bolin (R.)	-	-	+	-	+	-	+	+	+	-	50%	34	Dryden (R.)	+	+	+	+	+	-	-	+	-	+	-	60%
17	Rasmussen (R.)	+	+	-	+	+	-	+	+	+	-	70%	34	Partridge (R.)	-	+	+	+	+	+	-	-	-	-	-	50%
17	Ring (D)	+	+	+	-	-	+	-	+	+	-	50%	35	Campbell (R.)	+	+	+	+	+	+	+	+	+	+	+	100%
18	Hunhoff, J (R.)	+	+	-	-	-	-	+	-	-	-	30%	35	DiSanto (R.)	-	-	+	+	+	+	+	+	+	+	+	70%

Senate Vote Number											Senate Vote Number														
Dist #	Name/(Party)	1	2	3	4	5	6	7	8	9	10	Score	Dist #	Name/(Party)	1	2	3	4	5	6	7	8	9	10	Score
1	Frerichs (D)	+	+	+	-	-	+	-	+	-	-	50%	18	Hunhoff, B. (D)	+	+	+	-	-	+	-	+	-	-	50%
2	Greenfield, B (R.)	?	?	+	?	-	-	+	?	-	+	50%	19	Van Gerpen (R.)	-	-	+	+	+	-	+	-	-	-	40%
3	Novstrup, D. (R.)	-	-	?	-	+	?	+	-	-	-	25%	20	Vehe (R.)	-	-	-	-	-	-	-	-	-	-	0%
4	Peterson, J. (D)	?	?	?	?	-	+	+	?	-	+	67%	21	Sutton (D)	+	+	-	-	-	+	-	+	+	+	50%
5	Holien (R.)	-	-	+	-	+	-	+	-	-	-	30%	22	White (R.)	-	-	-	-	-	-	-	-	-	-	0%
6	Otten, E. (R.)	-	-	+	+	+	-	+	-	-	-	40%	23	Brown (R.)	-	-	-	-	+	-	-	-	-	-	10%
7	Tidemann (R.)	+	+	-	-	-	-	-	-	-	-	20%	24	Monroe (R.)	-	-	+	-	+	-	+	-	+	+	50%
8	Parsley (D)	+	+	-	-	-	+	-	+	-	-	40%	25	Rave (R.)	+	+	-	-	+	-	-	-	-	-	20%
9	Peters (R.)	+	+	-	-	-	-	-	-	-	-	20%	26	Heinert (D)	+	+	-	-	-	+	-	+	+	+	50%
10	Haggard, J. (R.)	-	-	+	-	+	-	+	-	+	+	50%	27	Bradford (D)	+	+	-	-	-	-	-	+	-	+	40%
11	Omdahl (R.)	-	-	+	-	?	-	+	-	-	-	22%	28	Olson (R.)	+	+	+	+	+	-	+	-	+	+	80%
12	Curd (R.)	-	-	?	-	+	-	-	-	-	-	11%	29	Cammack (R.)	-	-	-	-	+	-	+	-	-	-	20%
13	Heinemann, P (R.)	-	-	+	-	+	-	+	-	-	-	30%	30	Rampelberg (R.)	-	-	+	-	+	-	+	-	-	-	30%
14	Soholt (R.)	?	?	-	?	-	-	-	-	-	-	0%	31	Ewing (R.)	+	+	-	-	+	-	+	-	-	-	40%
15	Buhl O'Donnel (D)	+	+	-	-	-	+	-	+	-	-	40%	32	Solano (R.)	-	-	-	-	+	-	-	-	-	-	10%
16	Lederman (R.)	-	-	-	-	+	?	+	-	?	?	29%	33	Jensen, P. (R.)	-	-	+	+	+	-	+	-	-	+	50%
17	Rusch (R.)	-	-	-	-	-	-	-	-	+	-	10%	34	Tieszen (R.)	-	-	-	-	+	-	-	-	-	-	10%
													35	Haverly (R.)	+	-	-	-	+	-	-	-	-	-	20%



# South Dakota House Vote Descriptions

**1 Constitutional Convention**--HJR 1001, introduced by Rep. Stalzer, asks the US Congress to call a convention "for the sole purpose of proposing a federal balanced budget amendment [BBA]." Unfortunately, there is no effective means to enforce such a limitation. In fact, the Convention of 1787 had many similar limitations attempted, but the result was an entirely new Constitution. James Madison, Father of the Constitution, warned that "If a General Convention were to take place for the avowed and sole purpose of revising the Constitution, it would naturally consider itself as having a greater latitude than the Congress appointed to administer and support as well as to amend the system." Although ¾ of the states would be required to ratify any amendment, it is not difficult to find an amendment, such as the Income Tax amendment, which seemed good at the outset but had unintended adverse consequences after ratification. Also, there is precedent for the complete revision of ratification requirements, which occurred in the original convention of 1787. The existing limits in the Constitution regarding what Congress can spend money on are already being ignored. Changing the Constitution will not solve this tendency. This disregard for the Constitution has led to the great majority of federal spending and indebtedness today. The solution is to learn and enforce the limitations already in the Constitution itself.

A BBA can also be used as an excuse to raise taxes, rather than cut spending. Loopholes in today's proposed BBAs allow for unbalanced budgets in the case of a national emergency, a supermajority vote, etc. These exceptions virtually ensure unbalanced budgets and stifling debt for the foreseeable future. HJR 1001 passed in the House 39-30 on Jan 28th. It passed in the Senate on Feb 17th on a 19-13 vote. Plusses to the Nays.

**2 Limit Authority of Delegates to a Constitutional Convention**--HB 1069, introduced by Rep. Stalzer, was an attempt to limit the actions of any delegates from South Dakota who may attend a Convention held to propose amendments to the US Constitution. This bill was presented along side an application to call such a convention (See Vote 1 above). The bill's goal was to assure legislators that a convention would not go outside the purpose intended by state legislatures requesting one. However, the ability of the state to actually enforce such a law or that the proposed \$500 fine would truly deter any delegate from considering or approving any "unauthorized amendment" is in serious doubt. But even if the bill did what it proposes, it is virtually assured

that a convention would not be deterred by objections raised by a small delegation from South Dakota; the damage would have already been done by the time any penalties would be imposed. The bill passed on Jan. 28th in the House 38-31; it passed the Senate 21-11 on Feb. 17th. Plusses to the nays; the bill provides false assurances which may prove to be very costly for South Dakotans.

**3 Tax Increase for Municipalities:** SB 135, brought by Senator Brown, would authorize municipalities to impose an additional sales and use tax for a limited period of time for a specified use. This bill would open the door to the politically connected who might use it to secure contracts favorable to certain entities. The bill was amended and passed the Senate 19-14 on Feb. 9, but was an attempt to bring it up for debate before the full House was defeated by a vote of 33-33 on March 10. We assigned plusses to the nays.

**4 Right to Keep and Bear Arms;** HB 1116, introduced by Rep. Stalzer, essentially would have repealed the legal penalty against anyone within South Dakota who carries a concealed handgun without a state-issued concealed pistol permit on his or her person. Often this proposal is called "Constitutional Carry," meaning that unless certain strict conditions are met, the right to keep and bear arms (a natural corollary of the right to defend oneself from physical harm) is generally recognized by the State as a natural (God-given) right, rather than as a privilege that is granted by government via permits, licenses, etc. History is replete with examples of how treating this right as a privilege leads to the wholesale destruction of freedom. The bill passed the House 44-23 on Feb. 10th but later died in the Senate Judiciary Committee. Plusses to the Yeas.

**5 Abolish US Dept. of Education**--HCR 1003 sent a message to Congress and the President to abolish the US Department of Education. Among the reasons it gave were that the Department has become very "bloated" and that education is a state and local matter. Certainly the Department's creation marked a significant step toward total nationalization of education in our country. Once again, history shows nationalization of education to be a critical step towards the loss of freedom. The resolution passed by a vote of 48-20 in the House on Jan 27th, and in the Senate by a vote of 19-15 two days later. Plusses to the Yeas.

**6 Petition Reform**-- SB 69 was proposed by the SD Secretary of State's office in order to address a number of questions which arose during the 2014 election cycle regarding candidate nominating petitions. Its final version had some clear attacks on the ability of voters to choose their own representatives, especially in the case of independent candidates. Voters affiliated with a political party would be unable to nominate an independent

candidate for any office, independent candidates would have to turn in petitions for ballot access a full eight months prior to the general election. The number of signatures for party nomination for statewide office and other offices increased significantly. The option to send petitions to Pierre via registered mail, having the date they were mailed count as the date they were filed, was eliminated. This effectively shortens the petitioning period for candidates who reside far from Pierre. The bill also made it much more difficult to withdraw from a race, making it less likely that some would run at all. In general, the new law does not serve the interests of the state, but rather protects the political establishment and the state's dominant political party. Its final version passed the House 50-16 on March 13th and the Senate passed it 26-7 the same day. Petitioners later referred the law to the voters to approve or reject at the 2016 general election. Plusses to the Nays.

**7 SD Athletics Transgender Policy** – HB 1195 was introduced to set standards for sexual identity in high school athletics. This bill was intended to overturn a previous policy, of questionable morality, adopted by the board of directors of the SD High School Activities Association, which would have allowed students to participate in sports in whichever gender they chose. Potentially this would mean legal protection for athletes to use the locker room and shower facilities regardless of their biological sex. The bill to overturn this rule passed the House 51-16 on Feb. 10th, but the Senate refused to consider (killed) the bill by vote of 16-19 on March 10th. Plusses to the yeas.

**8 End Common Core Participation**--HB 1223, introduced by Rep. Campbell, would have stopped state participation in the Common Core State Standards for education, which the State agreed to in 2010. Over the last several years, it has become apparent to many that the standards are more about serving special interests than actually educating children. The bill was brought out of committee, onto the House floor by a special procedural move. However, House members refused, by a vote of 31-39, to debate the merits of the bill itself. We have given plusses to the yeas because the standards represent a very significant change in the way children are educated in South Dakota. The issue deserves a full debate.

**9 Recognize Armenian Genocide**--HCR 1009, brought by Rep. Hickey, recognized the Armenian Genocide of 1915-1923, where "one million five hundred thousand men, women, and children of Armenian descent, and hundreds of thousands of Assyrian and Greek descent, lost their lives at the hands of the Ottoman Turkish Empire in its attempt to systematically eliminate the Armenian race." The House approved it 51-17 on Feb. 26th, but the Senate voted 30-4 on March 3rd to table (kill) the resolution. We have given plusses to the Yeas in the House vote, and to the Nays in the Senate vote because the deliberate slaughter of millions of innocents is worth recognition and discussion,

lest such tragedies be repeated by future generations, unable to recognize the warning signs.

**10 Big Tax Increase**--SB 1, introduced by Senator Vehle, holds out the carrot on a stick of state funding to counties if they increase taxes (levies) on their citizens to help pay for bridge improvements. Consider the following from the bill: "No county may receive a grant from the fund unless such county has adopted and annually updated its county highway and bridge improvement plan pursuant to the provisions of section 3 of this Act and has imposed a county wheel tax pursuant to § 32-5A-1." This and other provisions make the bill just another coercive attempt to force higher taxes on already hard-pressed taxpayers. This measure has often been called the largest tax increase in state history. It passed both chambers on March 13th by votes of 55-11 in the House and 25-9 in the Senate. Plusses to the nays.

## South Dakota Senate Vote Descriptions

**1, 2, 3**--See corresponding House vote number and description.

**4 Strengthen Relationship with Communist China**--SCR 5, brought by Sen. Lederman, gives the Legislature's official support to establishing partnerships between state and city governments in South Dakota and China via what are known as "sister states" or "sister cities" agreements. For those who cherish even basic freedoms, the "People's Republic" of China should be among the last governments on Earth with which one would want to partner. The PRC is openly hostile toward the US, is ruled by a regime which holds the world record for mass genocide, continues to engage in cyber warfare, is openly Communist, supports forced abortions, and tramples religious freedoms mercilessly. Virtually every freedom which Americans should hold dear is disregarded by the PRC. To partner economically with this government also means supporting and being tied to its Communist economic system. Regardless of the euphemism of "state capitalism" now used, the PRC still owns or controls virtually all of the Chinese economy. This is the opposite of free-market capitalism; the same can be said for Communism. The resolution passed 28-4 on Feb. 17th. It passed the House 57-11 two days later. Plusses to the nays.

**5, 6, 7**--See corresponding House vote numbers and descriptions.