

Committee: Senate State Affairs

Wednesday, February 03, 2021 10:00 AM

Roll Call

Present: Sen. Schoenbeck, Sen. Duhamel, Sen. Crabtree, Sen. Bolin, Sen. Schoenfish, Sen. Rohl, Sen. Heinert, Sen. Diedrich, and Sen. Cammack

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Cammack

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 01ST

Moved by: Crabtree
Second by: Bolin
Action: Prevailed by voice vote

SB 77 : require certain font size for initiated measure petitions.

Presented by: Senator Al Novstrup

MOTION: AMEND SB 77

77B

On page 1, line 6, of the Introduced bill, after "state" insert ", including an electronic copy of the petition as it is to be circulated,"

On page 1, line 7, of the Introduced bill, after "measure" insert " in twelve-point font"

On page 2, line 2, of the Introduced bill, after "state. " delete "The petition must have at least a twelve-point font size. "

On page 2, line 3, of the Introduced bill, remove the overstrikes from " and petition font size"

On page 2, after line 4, of the Introduced bill, insert "

Section 2. That § 2-1-1.1 be AMENDED.

2-1-1.1. Initiated constitutional amendment--Petition--Contents--Signatures and filing.

The petition as it is to be circulated for an initiated amendment to the Constitution shall be filed with the secretary of state, including an electronic copy of the petition as it is to be circulated, prior to circulation for signatures and shall:

- (1) Contain the full text of the initiated amendment in twelve-point font;
- (2) Contain the date of the general election at which the initiated amendment is to be submitted;
- (3) Contain the title and explanation as prepared by the attorney general;
- (4) Be accompanied by a notarized affidavit form signed by each person who is a petition sponsor that includes the name and address of each petition sponsor; and
- (5) Be accompanied by a statement of organization as provided in § 12-27-6.

Each petition circulator shall provide to each person who signs the petition a form containing the title and explanation of the initiated amendment to the Constitution as prepared by the attorney general; any fiscal note prepared pursuant to § 2-9-30; the name, phone number, and email address of each petition sponsor; and a statement whether the petition circulator is a volunteer or paid petition circulator and, if a paid circulator, the amount the circulator is being paid. The form shall be approved by the secretary of state prior to circulation. The petition form, as prescribed by the State Board of Elections, shall include the paid circulator identification number within the verification of any paid circulator.

For any initiated amendment petition, no signature may be obtained more than twenty-four months preceding the general election that was designated at the time of filing of the full text. The initiated amendment petition shall be filed with the secretary of state at least one year before the next general election. A sworn affidavit, signed by at least two-thirds of the petition sponsors, stating that the documents filed constitute the entire petition and to the best of the knowledge of the sponsors contains a sufficient number of signatures shall also be filed with the secretary of state. The form of the petition otherwise, including petition size and petition font size, and the affidavit shall be prescribed by the State Board of Elections.

"

Moved by: Schoenbeck
 Second by: Duhamel
 Action: Prevailed by voice vote

SB 77 : require certain font size for initiated measure petitions.

Presented by: Senator Al Novstrup
 Proponents: Kea Warne, Office of Secretary of State
 Koni Sims, President South Dakota Association of Blind

MOTION: AMEND THE PENDING AMENDMENT

77C

On the previously adopted amendment (77B), On page 1, line 8, delete " twelve-point" and insert " fourteen-point"

On the previously adopted amendment (77B), On page 2, line 12, delete " twelve-point" and insert " fourteen-point"

Moved by: Diedrich
 Second by: Crabtree
 Action: Prevailed by voice vote

MOTION: DO PASS SB 77 AS AMENDED

Moved by: Schoenbeck
 Second by: Bolin
 Action: Prevailed by roll call vote (7-2-0-0)

Voting Yes: Schoenbeck, Duhamel, Crabtree, Bolin, Heinert, Diedrich, and Cammack

Voting No: Schoenfish and Rohl

SB 139 : increase the base salary for certain judges.

Presented by: Senator Lee Schoenbeck
 Proponents: Representative Steven Haugaard
 Steven Jensen, Unified Judicial System
 Hon. Michael Day, Unified Judicial System
 Hon. Robin Houwman, Unified Judicial System
 Andrew Fergel, lobbyist, South Dakota Bar Association

MOTION: REFER SB 139 TO JOINT COMMITTEE ON APPROPRIATIONS DO PASS

Moved by: Schoenbeck
Second by: Crabtree
Action: Prevailed by roll call vote (7-0-2-0)

Voting Yes: Schoenbeck, Crabtree, Bolin, Schoenfish, Rohl, Diedrich, and Cammack

Excused: Duhamel and Heinert

HB 1078 : revise certain provisions regarding the South Dakota State Historical Society.

Presented by: Dr. Ben Jones, Director of the South Dakota State Historical Society, Pierre

MOTION: AMEND HB 1078

1078C

On page 2, after line 13, of the Introduced bill, insert "

Section 4. That a NEW SECTION be added:

1-18-3.1. Code revision.

The South Dakota code commission is authorized and directed in future compilation of laws and supplements or any revision of the laws of this state to strike all references to "State Historical Society" and substitute therefor "South Dakota State Historical Society."

"

On page 10, after line 9, of the Introduced bill, insert "

Section 40. That § 1-45-23 be AMENDED.

1-45-23. Performance of museum functions.

The South Dakota State Historical Society shall perform all the functions of the following museums:

- (1) The museum at the University of South Dakota known as the W.H. Over State Museum; and
- (2) The museum at Pierre known as the ~~Cultural Heritage Center~~ South Dakota State History Museum.

"

Moved by: Crabtree
Second by: Schoenfish
Action: Prevailed by voice vote

HB 1078 : revise certain provisions regarding the South Dakota State Historical Society.

Presented by: Dr. Ben Jones, Director of the South Dakota State Historical Society, Pierre

MOTION: DO PASS HB 1078 AS AMENDED

Moved by: Crabtree
Second by: Bolin
Action: Prevailed by roll call vote (7-0-2-0)

Voting Yes: Schoenbeck, Crabtree, Bolin, Schoenfish, Rohl, Diedrich, and Cammack

Excused: Duhamel and Heinert

SB 85 : modify the composition of the Retirement Laws Committee

Presented by: Senator Lee Schoenbeck

MOTION: DO PASS SB 85

Moved by: Schoenbeck

Second by: Crabtree

Action: Prevailed by roll call vote (5-2-2-0)

Voting Yes: Schoenbeck, Crabtree, Rohl, Diedrich, and Cammack

Voting No: Bolin and Schoenfish

Excused: Duhamel and Heinert

SB 44 : authorize, regulate, and tax wagering on sporting events within the city limits of Deadwood.

Presented by: Jim Terwilliger, Department of Revenue

MOTION: AMEND SB 44

44B

On page 1, line 21, of the Introduced bill, delete "within the interior " and insert "on the premises "

On page 1, line 21, of the Introduced bill, after "establishment" insert " as approved by the commission"

On page 12, line 3, of the Introduced bill, delete "in the interior " and insert "on the premises "

On page 12, line 4, of the Introduced bill, after "establishment " insert "as approved by the commission "

On page 12, line 6, of the Introduced bill, delete "from within the interior " and insert "on the premises "

On page 12, line 7, of the Introduced bill, after "establishment " insert "as approved by the commission "

On page 12, line 30, of the Introduced bill, after "or (4) Any " insert "individual game in a "

Moved by: Diedrich

Second by: Crabtree

Action: Prevailed by voice vote

SB 44 : authorize, regulate, and tax wagering on sporting events within the city limits of Deadwood.

Presented by: Jim Terwilliger, Department of Revenue

Proponents: Craig Sparrow, Commission On Gaming

Roger Tellinghuisen, Deadwood Gaming Association, Deadwood

Nathan Sanderson, South Dakota Retailers Association, Pierre

Ross B Garelick Bell, CCST - Crow Creek Sioux Tribe, Fort Thompson

Ross B Garelick Bell, Ogala Sioux Tribe
Ross B Garelick Bell, Rosebud Sioux Tribe, Rosebud
Ross B Garelick Bell, Yankton Sioux Tribe, Wagner

NOTE: Chairman Cammack stated final action would not be taken on this bill as the financial impact statement was not currently available.

MOTION: AMEND THE PENDING AMENDMENT

44C

On the previously adopted amendment (44B), On page 1, line 2, after "Deadwood" insert " and provide a penalty for a violation thereof"

Moved by: Schoenbeck
Second by: Bolin
Action: Prevailed by voice vote

THE CHAIR DEFERRED SB 44 UNTIL IMPACT STATEMENT IS AVAILABLE

MOTION: ADJOURN

Moved by: Crabtree
Second by: Heinert
Action: Prevailed by voice vote

Lorna Shell, Committee Secretary

/s/ GARY L. CAMMACK
Gary L. Cammack, Chair