

Committee: House State Affairs

Wednesday, February 09, 2022 7:45 AM

Roll Call

Present: Rep. Anderson, Rep. Beal, Rep. Chaffee, Rep. Goodwin, Rep. Gosch, Rep. Hansen, Rep. Kevin Jensen, Rep. Lesmeister, Rep. Reimer, Rep. Jamie Smith, Rep. Wiese, Rep. Chris Johnson, and Rep. Kent Peterson

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Representative Kent Peterson**

**MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 07<sup>TH</sup>**

Moved by: Hansen  
Second by: Beal  
Action: Prevailed by voice vote

**THE CHAIR DEFERRED HB 1311 UNTIL MONDAY, FEBRUARY 14<sup>TH</sup> 2022**

**HCR 6001 : Opining that the star quilt should be recognized as the official quilt of this state.**

Presented by: Representative Becky Drury, District 32  
Proponents: Representative Tamara St. John, District 1  
David Flute, Department of Tribal Relations  
Representative Mike Derby, District 34

**MOTION: DO PASS HCR 6001**

Moved by: Lesmeister  
Second by: Kevin Jensen  
Action: Prevailed by Majority Members Elect (12-1-0-0)

Voting Yes: Anderson, Beal, Chaffee, Goodwin, Hansen, Kevin Jensen, Lesmeister, Reimer, Jamie Smith, Wiese, Chris Johnson, and Kent Peterson

Voting No: Gosch

**HCR 6002 : recommending private sector housing solutions.**

Presented by: Representative Scott Odenbach, District 31  
Proponents: Representative John Mills, District 4

**MOTION: DO PASS HCR 6002**

Moved by: Hansen  
Second by: Gosch  
Action: Prevailed by Majority Members Elect (12-1-0-0)

Voting Yes: Anderson, Beal, Chaffee, Goodwin, Gosch, Hansen, Kevin Jensen, Lesmeister, Reimer, Wiese, Chris Johnson, and Kent Peterson

Voting No: Jamie Smith

**HCR 6003 : declaring April 26th to be shared parenting day.**

Presented by: Representative Tom Pischke, District 25

Proponents: Spencer Wrightsman, Self, Brandon

**MOTION: DO PASS HCR 6003**

Moved by: Chris Johnson

Second by: Kevin Jensen

Action: Prevailed by Majority Members Elect (11-2-0-0)

Voting Yes: Anderson, Beal, Chaffee, Goodwin, Gosch, Hansen, Kevin Jensen, Reimer, Wiese, Chris Johnson, and Kent Peterson

Voting No: Lesmeister and Jamie Smith

**HCR 6005 : Urging the executive branch to refrain from seeking or promoting specific legislative outcomes.**

Presented by: Representative Rhonda Milstead, District 9

Opponents: Nathan Sanderson, South Dakota Retailers Association, Pierre

**MOTION: DO PASS HCR 6005**

Moved by: Wiese

Second by: Gosch

Action: Failed by Majority Members Elect (5-8-0-0)

Voting Yes: Beal, Gosch, Hansen, Kevin Jensen, and Wiese

Voting No: Anderson, Chaffee, Goodwin, Lesmeister, Reimer, Jamie Smith, Chris Johnson, and Kent Peterson

**MOTION: DEFER HCR 6005 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Reimer

Second by: Chris Johnson

Action: Prevailed by Majority Members Elect (9-4-0-0)

Voting Yes: Anderson, Beal, Chaffee, Goodwin, Lesmeister, Reimer, Jamie Smith, Chris Johnson, and Kent Peterson

Voting No: Gosch, Hansen, Kevin Jensen, and Wiese

**HR 7001 : In support of investigating and opening an official inquiry into the Medals of Honor given to United States soldiers for the involvement and participation of the soldiers in the Wounded Knee Massacre of 1890.**

Presented by: Representative Shawn Bordeaux, District 26A

**MOTION: DO PASS HR 7001**

Moved by: Lesmeister  
Second by: Jamie Smith  
Action: Failed by Majority Members Elect (4-9-0-0)

Voting Yes: Goodwin, Kevin Jensen, Lesmeister, and Jamie Smith

Voting No: Anderson, Beal, Chaffee, Gosch, Hansen, Reimer, Wiese, Chris Johnson, and Kent Peterson

**MOTION: DEFER HR 7001 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Anderson  
Second by: Beal  
Action: Prevailed by Majority Members Elect (10-3-0-0)

Voting Yes: Anderson, Beal, Chaffee, Gosch, Hansen, Kevin Jensen, Reimer, Wiese, Chris Johnson, and Kent Peterson

Voting No: Goodwin, Lesmeister, and Jamie Smith

**HB 1148 : authorize sports wagering within a licensed affiliate business.**

Presented by: Representative Mark Willadsen, District 11  
Proponents: Matt Krogman, SD Licensed Beverage Dealer & Gaming Assoc., Rapid City  
Nathan Sanderson, South Dakota Retailers Association, Pierre  
Opponents: David Wiest, Department of Revenue (Handout(s) #1)  
Norman Woods, Family Heritage Alliance Action, Rapid City  
Robert C. Riter, Music and Vending Association of South Dakota, Pierre

**MOTION: DEFER HB 1148 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Gosch  
Second by: Chris Johnson  
Action: Was not acted on.

**MOTION: SUBSTITUTE MOTION: DO PASS HB 1148**

Moved by: Goodwin  
Action: Died for lack of a second

**Revert to previous motion**

**MOTION: DEFER HB 1148 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Gosch  
Second by: Chris Johnson  
Action: Prevailed by Majority Members Elect (9-4-0-0)

Voting Yes: Chaffee, Gosch, Hansen, Kevin Jensen, Lesmeister, Reimer, Jamie Smith, Wiese, and Chris Johnson

Voting No: Anderson, Beal, Goodwin, and Kent Peterson

**HB 1300 : provide for certain permissible dates for municipal and school district elections.**

Presented by: Representative Will Mortenson, District 24

Proponents: Jason Glodt, self, Pierre

Opponents: Steve Barnett, Secretary of State, State of South Dakota  
Roger Tellinghuisen, South Dakota Association of County Officials, Pierre  
Bennett Kyte, Self, Sioux Falls  
Susan Kiepke, Self, Armour  
Wade Pogany, Associated School Boards of South Dakota, Pierre  
Yvonne Taylor, South Dakota Municipal League, Fort Pierre

Representative Peterson announced that the House State Affairs Committee would be in recess until 15 minutes after House adjournment.

**MOTION: DO PASS HB 1300**

Moved by: Gosch

Second by: Beal

Action: Prevailed by Majority Members Elect (10-1-2-0)

Voting Yes: Anderson, Beal, Chaffee, Goodwin, Gosch, Lesmeister, Jamie Smith, Wiese, Chris Johnson, and Kent Peterson

Voting No: Kevin Jensen

Excused: Hansen and Reimer

**HB 1214 : prohibit forms of caller identification manipulation and to impose a penalty therefor.**

Presented by: Representative Spencer Gosch, District 23

Proponents: Lindsey Riter-Rapp, South Dakota Telecommunications Association, Pierre

Opponents: Terra Larson, SD Association of Criminal Defense Lawyers, Pierre

**MOTION: AMEND HB 1214**

1214A

On page 1, line 17, of the Introduced bill, after "doing," delete " display or"

On page 2, line 7, of the Introduced bill, delete " blocking" and insert ":

(a) Blocking"

On page 2, line 9, of the Introduced bill, after "or" insert "

(b) Displaying caller identification data sent to the company from the caller; or"

Moved by: Chaffee

Second by: Kevin Jensen

Action: Prevailed by voice vote

**MOTION: DO PASS HB 1214 AS AMENDED**

Moved by: Beal  
Second by: Chaffee  
Action: Prevailed by Majority Members Elect (11-0-2-0)

Voting Yes: Anderson, Beal, Chaffee, Goodwin, Gosch, Kevin Jensen, Lesmeister, Jamie Smith, Wiese, Chris Johnson, and Kent Peterson

Excused: Hansen and Reimer

**HB 1211 : prohibit the enforcement of contracts limiting competition on certain matters of conscience.**

Presented by: Representative Spencer Gosch, District 23  
Opponents: Nathan Sanderson, South Dakota Retailers Association, Pierre  
Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls  
Deb Mortenson, Associated General Contractors of South Dakota, Pierre

**MOTION: DO PASS HB 1211**

Moved by: Hansen  
Second by: Beal  
Action: Prevailed by Majority Members Elect (8-4-1-0)

Voting Yes: Beal, Chaffee, Gosch, Hansen, Kevin Jensen, Lesmeister, Wiese, and Chris Johnson

Voting No: Anderson, Goodwin, Jamie Smith, and Kent Peterson

Excused: Reimer

**MOTION: ADJOURN**

Moved by: Kevin Jensen  
Second by: Beal  
Action: Prevailed by voice vote

Pam Kean, Committee Secretary

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/s/ KENT PETERSON  
Kent Peterson, Chair