

Committee: House State Affairs

Monday, February 14, 2022 7:30 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 WEDNESDAY, FEBRUARY 09TH

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

HB 1311 : clarify the means of voluntarily terminating a relationship between a birth mother and a child.

Presented by: Representative Bethany Soye, District 9
Proponents: Renee Eggebraaten, Self, Rapid City
Norman Woods, Family Heritage Alliance Action, Rapid City (Handout(s) #1)
Dale Allen Bartscher, South Dakota Right to Life, Rapid City
Linda Schauer, Concerned Women for America, Alexandria, VA
Chris Motz, South Dakota Catholic Conference, Sioux Falls
Opponents: Lisa Rahja, Families from South Dakota Surrogacy, Sioux Falls
Jennie Boe, Self, Sioux Falls
Vanida Schmitt, self, Pierre

MOTION: AMEND HB 1311

1311A

On page 1, line 5, of the Introduced bill, after "SECTION:" insert "No contract that purports to require a birth mother to terminate her relationship with the child she carries in utero is enforceable whether or not the birth mother is genetically related to the child. "
On page 1, line 6, of the Introduced bill, after "terminated" insert " by a post-birth order of the court"
On page 1, line 6, of the Introduced bill, after "terminated." insert " Under no circumstance may the relationship be terminated by a pre-birth order of the court."
On page 1, line 8, of the Introduced bill, after "SECTION:" insert "No contract that purports to require a birth mother to terminate her relationship with the child she carries in utero is enforceable whether or not the birth mother is genetically related to the child. "
On page 1, line 9, of the Introduced bill, after "terminated" insert " by a post-birth order of the court"
On page 1, line 9, of the Introduced bill, after "terminated." insert " Under no circumstance may the relationship be terminated by a pre-birth order of the court."

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

MOTION: DO PASS HB 1311 AS AMENDED

Moved by: Gosch

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

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

Voting No: Anderson, Lesmeister, and Jamie Smith

HB 1308 : provide for the payment of signing bonuses to school district staff members.

Presented by: Representative Bethany Soye, District 9
Proponents: Jane Staven, Self, Sioux Falls
Tiffany Sanderson, Department of Education
Rob L Monson, School Administrators of South Dakota, Pierre
Wade Pogany, Associated School Boards of South Dakota, Pierre
Lisa Nolen, Americans For Prosperity, Sioux Falls

MOTION: DO PASS HB 1308

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

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

Voting No: Beal

Representative Peterson, Chair, passed the gavel to Representative Johnson, Vice Chair.

HB 1209 : make an appropriation to the Board of Regents for improving the National Music Museum at the University of South Dakota and to declare an emergency.

Presented by: Representative Kent Peterson, District 19
Proponents: Nate Welch, Vermillion Area Chamber & Development Company, Vermillion
Scott Lawrence, Self, Vermillion
Senator Arthur Rusch, District 17
Opponents: Hallie Getz, Bureau of Finance and Management

MOTION: REFER HB 1209 TO HOUSE COMMITTEE ON APPROPRIATIONS

Moved by: Gosch
Second by: Hansen
Action: Prevailed by roll call vote (13-0-0-0)

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

The gavel was passed back to Representative Peterson, Chair.

HB 1113 : prohibit threats made with the intent to coerce an abortion and to provide a penalty therefor.

Presented by: Representative Tony Randolph, District 35

Proponents: Senator Jessica Castleberry, District 35
Kelly Patterson, Self, Piedmont
Dale Allen Bartscher, South Dakota Right to Life, Rapid City
Judy Mildren, Self, Rapid City
Lisa Gennaro, Concerned Woman For America, Alexandria, VA
Norman Woods, Family Heritage Alliance Action, Rapid City
Chris Motz, South Dakota Catholic Conference, Sioux Falls

Opponents: Terra Larson, SD Association of Criminal Defense Lawyers, Rapid City

MOTION: DO PASS HB 1113

Moved by: Chris Johnson

Second by: Gosch

Action: Prevailed by Majority Members Elect (13-0-0-0)

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

HB 1259 : provide oversight regarding the exercise of gubernatorial emergency powers.

Presented by: Representative Tony Randolph, District 35

Proponents: Florence K. Thompson, South Dakota Citizens for Liberty, Rapid City
Representative Steven Haugaard, District 10
Tonchi Weaver, South Dakota Citizens for Liberty, Rapid City

Opponents: Katie Hruska, Governor's Office
Dawna Leitzke, South Dakota Petroleum & Propane Marketers Association, Pierre
Nathan Sanderson, South Dakota Retailers Association, Pierre
Brenda Forman, South Dakota Association of Cooperatives, Pierre

Representative Peterson, Chair, passed the gavel to Representative Johnson, Vice Chair.

MOTION: DO PASS HB 1259

Moved by: Gosch

Second by: Hansen

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER HB 1259 TO THE 41ST LEGISLATIVE DAY

Moved by: Anderson

Second by: Lesmeister

Action: Prevailed by Majority Members Elect (9-3-1-0)

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

Voting No: Gosch, Hansen, and Wiese

Excused: Kent Peterson

HB 1260 : limit the manner in which legislation may be introduced.

Presented by: Representative Tony Randolph, District 35

Proponents: Tonchi Weaver, South Dakota Citizens for Liberty, Rapid City
Florence Thompson, Self, Caputa

Opponents: Chris Nelson, Commissioner, Public Utilities Commission
Rich Sattgast, State Auditor, Pierre
Nathan Sanderson, South Dakota Retailers Association, Pierre
Greg Sattizahn, Unified Judicial System

The gavel was passed back to Representative Peterson, Chair.

MOTION: DO PASS HB 1260

Moved by: Wiese
Second by: Gosch
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER HB 1260 TO THE 41ST LEGISLATIVE DAY

Moved by: Anderson
Second by: Jamie Smith
Action: Prevailed by Majority Members Elect (7-6-0-0)

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

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

The committee recessed. Representative Peterson announced that the remaining bills will be heard following House adjournment in Room 414.

HB 1116 : modify the date for the state's presidential primary elections.

MOTION: DEFER HB 1116 TO THE 41ST LEGISLATIVE DAY

Moved by: Anderson
Second by: Jamie Smith
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DO PASS HB 1116

Moved by: Gosch

Second by: Beal
Action: Prevailed by Majority Members Elect (7-3-3-0)

Voting Yes: Beal, Chaffee, Gosch, Lesmeister, Jamie Smith, Wiese, and Chris Johnson

Voting No: Anderson, Goodwin, and Kent Peterson

Excused: Hansen, Kevin Jensen, and Reimer

HB 1329 : require a forensic audit of election results after each presidential general election.

Presented by: Representative Taffy Howard, District 33

Proponents: Joanna Smith, Self, Rapid City
Tonchi Weaver, South Dakota Citizens for Liberty, Rapid City
Jessica Pollema, Self, Tea
Stuart Cvrk, Self, Springfield
Cindy Meyer, self, Hartford
Gary Meyer, self, Hartford
Scot Montgomery, Self, Fairview

MOTION: AMEND HB 1329

1329A

On page 1, line 5, of the Introduced bill, after "audit" insert " of ballots, voting equipment, and voter verification processes,"

On page 1, line 6, of the Introduced bill, after "every" insert " federal office on the ballot"

On page 1, line 6, of the Introduced bill, after "every " insert "of a "

On page 1, line 7, of the Introduced bill, after "ballot" insert " and the two candidates with the highest number of votes are separated by less than ten percent of the total votes cast"

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

MOTION: DO PASS HB 1329 AS AMENDED

Moved by: Gosch
Second by: Beal
Action: Prevailed by Majority Members Elect (7-3-3-0)

Voting Yes: Beal, Chaffee, Gosch, Lesmeister, Reimer, Wiese, and Chris Johnson

Voting No: Anderson, Jamie Smith, and Kent Peterson

Excused: Goodwin, Hansen, and Kevin Jensen

HB 1290 : prohibit lobbying by state officials and employees.

Presented by: Representative Rhonda Milstead, District 9

Proponents: Florence K. Thompson, South Dakota Parents Involved in Education, Caputa
Tonchi Weaver, South Dakota Citizens for Liberty, Rapid City

Opponents: Nathan Sanderson, South Dakota Retailers Association, Pierre
Rich Sattgast, State Auditor, Pierre

MOTION: DO PASS HB 1290

Moved by: Gosch
Second by: Beal
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 HB 1290 TO THE 41ST LEGISLATIVE DAY

Moved by: Jamie Smith
Second by: Lesmeister
Action: Prevailed by Majority Members Elect (8-5-0-0)

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

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

MOTION: ADJOURN

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

Pam Kean, Committee Secretary

/s/ KENT PETERSON
Kent Peterson, Chair