

Committee: Senate State Affairs

Wednesday, January 25, 2023 10:00 AM

Roll Call

Present: Sen. Schoenbeck, Sen. Davis, Sen. Duhamel, Sen. Nesiba, Sen. Rohl,
Sen. Tobin, Sen. Wheeler, and Sen. Diedrich

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Crabtree

MOTION: TO APPROVE THE MINUTES OF FRIDAY, JANUARY 20TH

Moved by: Rohl
Second by: Wheeler
Action: Prevailed by voice vote

MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE APPOINTMENT OF JEFF MARLETTE OF PENNINGTON COUNTY, RAPID CITY, SOUTH DAKOTA, TO THE POSITION OF ADJUTANT GENERAL

Moved by: Schoenbeck
Second by: Wheeler
Action: Prevailed by Majority Members Elect (9-0-0-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Nesiba, Rohl, Tobin, Wheeler, Diedrich, and Crabtree

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED THE APPOINTMENT OF JEFF MARLETTE OF PENNINGTON COUNTY, RAPID CITY, SOUTH DAKOTA, TO THE POSITION OF ADJUTANT GENERAL AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE APPOINTMENT OF DAVID FLUTE OF ROBERTS COUNTY, SISSETON, SOUTH DAKOTA, TO THE POSITION OF SECRETARY OF THE DEPARTMENT OF TRIBAL RELATIONS

Moved by: Schoenbeck
Second by: Duhamel
Action: Prevailed by Majority Members Elect (9-0-0-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Nesiba, Rohl, Tobin, Wheeler, Diedrich, and Crabtree

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED THE APPOINTMENT OF DAVID FLUTE OF ROBERTS COUNTY, SISSETON, SOUTH DAKOTA, TO THE POSITION OF SECRETARY OF THE DEPARTMENT OF TRIBAL RELATIONS AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1003 : repeal provisions requiring prison or jail cost estimates and to declare an emergency.

Presented by: Senator Lee Schoenbeck

Proponents: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1003

Moved by: Diedrich

Second by: Duhamel

Action: Prevailed by Majority Members Elect (8-1-0-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Rohl, Tobin, Wheeler, Diedrich, and Crabtree

Voting No: Nesiba

HB 1062 : clarify the convening of recount boards for primary elections.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1062

Moved by: Schoenbeck

Second by: Wheeler

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

Voting Yes: Schoenbeck, Davis, Duhamel, Nesiba, Rohl, Tobin, Wheeler, Diedrich, and Crabtree

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1062 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**SB 82 : modify provisions pertaining to poll watchers.**

Presented by: Senator Helene Duhamel

Proponents: Cindy Mohler, Pennington County Auditor, Rapid City

T.J. Nelson, Opportunity Solutions Project, Tallahassee, FL

Kristie Jacobsen, South Dakota Association of County Officials, Pierre

Opponents: Matthew Monfore, Self, Hot Springs

Rick Weible, Self, Elk Pointe

MOTION: AMEND SB 82

82B

On page 1, line 4, of the Introduced bill, after "12-18-9. " delete "Any person, except a candidate who is on the ballot being voted on at that polling place, may be present at any polling place for the purpose of observing the voting process. Any person may be present to observe the counting process. A candidate who is on the ballot being voted on at a polling place may only be present to cast the candidate's vote during voting hours. A number of poll watchers shall be permitted for each candidate at At a primary election, pursuant to § 12-18-8. 1, a number of poll watchers must be permitted for each

candidate. or political party and independent candidate at At a general or special election, pursuant to § 12-18-8. 1, a number of poll watchers must be permitted for each political party and independent candidate. A number of poll watchers must be permitted from each ballot question committee for an initiated or referred measure or initiated constitutional amendment at any election in which the measure or amendment appears on the ballot, pursuant to § 12-18-8. 1. "

On page 1, line 18, of the Introduced bill, after "place." insert "At a general, primary, or special election pursuant to § 12-18-8. 1, any candidate, party or ballot question committee as defined in § 12-27-1 is entitled to have a poll watcher present at any polling place for the purpose of observing the voting and counting process. This section may not apply to a candidate who is on the ballot being voted on at a polling place, and the candidate may only be present to cast the candidate's vote during voting hours."

On page 2, line 1, of the Introduced bill, after "mean:

(1)" delete ""Ballot question committee," a person or entity that raises, collects, or distributes contributions as one of the following:

(a) A proponent for placement on the ballot of one or more initiated or referred measures or initiated constitutional amendments;

(b) An opponent to placement on the ballot of one or more initiated or referred measures or initiated constitutional amendments;

(c) A proponent for the adoption of one or more initiated or referred measures or initiated constitutional amendments on the ballot;

(d) An opponent to the adoption of one or more initiated or referred measures or initiated constitutional amendments on the ballot;"

On page 2, line 11, of the Introduced bill, after "ballot;" delete "(2)"

On page 2, line 13, of the Introduced bill, delete "(3)" and insert "(2)"

On page 2, line 14, of the Introduced bill, delete "(4)" and insert "(3)"

On page 2, line 16, of the Introduced bill, delete "(5)" and insert "(4)"

On page 2, line 18, of the Introduced bill, delete "(6)" and insert "(5)"

On page 2, line 20, of the Introduced bill, delete "(7)" and insert "(6)"

On page 2, line 23, of the Introduced bill, delete "(8)" and insert "(7)"

On page 2, line 25, of the Introduced bill, delete "(9)" and insert "(8)"

On page 2, line 27, of the Introduced bill, delete "(10)" and insert "(9)"

On page 2, line 32, of the Introduced bill, delete "(11)" and insert "(10)"

On page 3, line 3, of the Introduced bill, delete "(12)" and insert "(11)"

On page 3, line 7, of the Introduced bill, delete "(13)" and insert "(12)"

On page 3, line 11, of the Introduced bill, delete "(14)" and insert "(13)"

On page 3, line 13, of the Introduced bill, delete "(15)" and insert "(14)"

On page 3, line 14, of the Introduced bill, delete "(16)" and insert "(15)"

On page 3, line 16, of the Introduced bill, delete "(17)" and insert "(16)"

On page 3, line 18, of the Introduced bill, delete "(18)" and insert "(17)"

On page 3, line 19, of the Introduced bill, delete "(19)" and insert "(18)"

On page 3, line 20, of the Introduced bill, delete "(20)" and insert "(19)"

On page 3, line 21, of the Introduced bill, delete "(21)" and insert "(20)"

On page 3, line 23, of the Introduced bill, delete "(22)" and insert "(21)"

On page 3, line 25, of the Introduced bill, delete "(23)" and insert "(22)"

On page 3, line 27, of the Introduced bill, delete "(24)" and insert "(23)"

On page 3, line 32, of the Introduced bill, delete "(25)" and insert "(24)"

On page 4, line 1, of the Introduced bill, delete "(26)" and insert "(25)"

Moved by: Wheeler

Second by: Diedrich

Action: Prevailed by voice vote

MOTION: DO PASS SB 82 AS AMENDED

Moved by: Wheeler

Second by: Tobin

Action: Prevailed by Majority Members Elect (8-0-1-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Rohl, Tobin, Wheeler, Diedrich, and Crabtree

Excused: Nesiba

MOTION: ADJOURN

Moved by: Tobin

Second by: Rohl

Action: Prevailed by voice vote

Doug Mortenson, Committee Secretary

/s/ CASEY CRABTREE
Casey Crabtree, Chair