Committee: Senate State Affairs   Wednesday, February 08, 2023 10:00 AM

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

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Crabtree

MOTION: **TO APPROVE THE MINUTES OF FRIDAY, FEBRUARY 03RD**

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

SB 139 :   revise provisions qualifications for the purposes of voter registration.

Presented by: Senator Randy Deibert
Proponents: Travis Lasseter, Pennington County Commissioner, New Underwood
               Senator David Johnson
Opponents: Rick Weible, Self, Elkton
               Matthew Monfore, Self, Oral
               Penny Baybridge, Minnehaha County Auditor, self, Sioux Falls
               Cindy Meyer, self, Hartford
               Cindy Konopasek, Self, Yankton
Others: Tom Deadrick, Secretary of State

MOTION: **AMEND SB 139**

                                                                              139F

On page 1, line 1, of the Introduced bill, delete " provisions qualifications" and insert " residency
               requirements"
On page 1, line 7, of the Introduced bill, delete " when absent" and insert " after a period of absence"
On page 1, line 20, of the Introduced bill, delete " is" and insert " will be"
On page 1, line 21, of the Introduced bill, after "older" insert " on or before the next election"
On page 2, line 2, of the Introduced bill, after "thirty" delete " consecutive"
On page 2, line 2, of the Introduced bill, delete " immediately" and insert " in the year"
On page 2, line 2, of the Introduced bill, delete " the day the person registers to vote" and insert "
               submitting the registration form"
On page 2, line 9, of the Introduced bill, after "residence." delete "Section 4. That § 12-4-5. 4 be
               AMENDED:"
On page 2, line 10, of the Introduced bill, after "AMENDED:" delete "12-4-5. 4. Any person registering
               to vote shall provide the person's valid South Dakota driver license number or a South
               Dakota nondriver identification number on the voter registration form. If a person
               does not have a valid South Dakota driver license or a South Dakota nondriver
               identification number, the person shall provide the last four digits of the person's
               social security number on the voter registration form.
If a person does not have a valid South Dakota driver license, or a South Dakota nondriver
               identification number, or but has a social security number, the person may only
               register at the county auditor's office and. The applicant shall provide documentation
               establishing the applicant's residence for the thirty days immediately prior to the date
               of application and shall sign a statement verifying the fact that the person does not

have a valid South Dakota driver license, a South Dakota nondriver identification number, or a social security number. The statement shall be prescribed by the State Board of Elections

If a person does not have a valid South Dakota driver license, a South Dakota nondriver identification number, or a social security number, the person may only register at the county auditor's office. The applicant shall provide documentation establishing the applicant's residence for the thirty days immediately prior to the date of application and shall sign a statement verifying the fact that the person does not have a valid South Dakota driver license, a South Dakota nondriver identification number, or a social security number.

The State Board of Elections shall promulgate rules, pursuant to chapter 1-26, prescribing the statement and the documentation that may be accepted to establish the applicant's residence."

On page 3, line 6, of the Introduced bill, after "least" delete " the"

On page 3, line 6, of the Introduced bill, delete " immediately" and insert " in the year"

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

MOTION: DO PASS SB 139 AS AMENDED

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

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

SB 166 :   provide for an annual presentation regarding Indian Law.

Presented by: Senator Shawn Bordeaux
Proponents: Greg Pesall, self, Webster
Opponents: Matthew Monfore, Self, Oral

MOTION: DEFER SB 166 TO THE 41ST LEGISLATIVE DAY

Moved by: Schoenbeck
Second by: Davis
Action: Prevailed by Majority Members Elect (7-1-1-0)

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

Voting No: Nesiba

Excused: Rohl

SB 169 :   establish the Commission on Truth and Reconciliation.

Presented by: Senator Shawn Bordeaux
Proponents: Greg Pesall, self, Webster
Opponents: Matthew Monfore, Self, Oral
              Mark Garcia, Department of Tribal Relations

MOTION: **DEFER SB 169 TO THE 41ST LEGISLATIVE DAY**

Moved by: Schoenbeck
Second by: Davis
Action: Prevailed by Majority Members Elect (7-1-1-0)

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

Voting No: Nesiba

Excused: Diedrich

SB 160 :   **establish post-election audits.**

Presented by: Senator David Wheeler
Proponents: T.J. Nelson, Opportunity Solutions Project, Tallahassee, FL
              Florence K. Thompson, SD Citizens for Liberty, Rapid City
              Jill Hanson, Beadle County Auditor, Huron
              Lindley Howard, McPherson County Auditor, self, Leola
Opponents: Tom Deadrick, Secretary of State
              Rick Weible, Self, Elkton
              Linda Montgomery, self, Fairview
              Deb Halverson, Lyman County Auditor, self, Kennebec
              Penny Baybridge, Minnehaha County Auditor, self, Sioux Falls
              Cindy Meyer, self, Hartford
              Cindy Konopasek, Self, Yankton

MOTION: **AMEND SB 160**

160A

On page 1, line 15, of the Introduced bill, delete "hand " and insert "manually "
On page 1, line 16, of the Introduced bill, delete "hand " and insert "manual "
On page 1, line 20, of the Introduced bill, after "ballots." insert " For the purposes of this section, the
              term precinct includes vote centers, but does not include any precinct designated as
              an absentee precinct."
Moved by: Nesiba
Second by: Rohl
Action: Prevailed by voice vote

MOTION: **DO PASS SB 160 AS AMENDED**

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

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

SJR 502 :   **Proposing and submitting to the voters at the next general election
amendments to the Constitution of the State of South Dakota revising and**

establishing certain constitutional provisions regarding the lieutenant governor and the presiding officers of the Senate and House of Representatives.

Presented by: Senator Lee Schoenbeck
Opponents: Julia Brossart, Director National Lieutenant Governors Association, Fort Wright, KY

MOTION: **DO PASS SJR 502**

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

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

SCR 605 :   Encouraging the Executive Board of the Legislature to authorize and form a legislative task force to study the issues on, and to consider, develop, and report recommendations and propose legislation on, sustainable improvements to the affordability and availability of childcare in South Dakota.

Presented by: Senator Tim Reed
Proponents: Deb Mortenson, South Dakota YMCA of the USA Alliance, Pierre
              Debra Owen, Greater Sioux Falls Chamber of Commerce, Sioux Falls
              Michael Linngren, Boys & Girls Clubs South Dakota Alliance, Watertown

MOTION: **TO TABLE SCR 605**

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

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

SB 171 :   create term limits for future public utilities commissioners.

Presented by: Senator Jim Bolin
Proponents: Greg Pesall, self, Webster
Opponents: Chris Nelson, Public Utilities Commission
              Chad Mutziger, South Dakota Telecommunications Association, Pierre
              Scott Granville, self, Pierre

MOTION: **DO PASS SB 171**

Moved by: Tobin
Second by: Schoenbeck
Action: Prevailed by Majority Members Elect (5-4-0-0)

Voting Yes: Schoenbeck, Davis, Tobin, Diedrich, and Crabtree

Voting No: Duhamel, Nesiba, Rohl, and Wheeler

SB 207 :   provide a penalty for the expenditure of public funds to influence the outcome of an election.

Presented by: Senator David Wheeler
Proponents: Marty Jackley, South Dakota Attorney General, Pierre

MOTION: AMEND SB 207

207B

On page 1, line 15, of the Introduced bill, delete "A violation of this section is a Class 1 misdemeanor" and insert "It is a Class 1 misdemeanor if the state, an agency of the state, or the governing body of any county, municipality, or other political subdivision expends one thousand or more in public funds in violation of this section. It is a Class 6 felony if ten thousand or more in public funds is expended in violation of this section"

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

MOTION: DO PASS SB 207 AS AMENDED

Moved by: Rohl
Second by: Davis
Action: Prevailed by Majority Members Elect (7-2-0-0)

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

Voting No: Schoenbeck and Duhamel

MOTION: ADJOURN

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

Doug Mortenson, Committee Secretary

                                                      /s/ CASEY CRABTREE
                                                    Casey Crabtree, Chair