

Minutes: Senate Local Government

Wednesday, January 22, 2025 10:00 AM

Roll Call

Present: Sen. Wheeler, Sen. Nelson, Sen. Schoenfish, Sen. Smith, Sen. Duhamel, and Sen. Reed

Excused: Sen. Rohl

The meeting was called to order by Senator Reed

MOTION: TO APPROVE THE MINUTES OF FRIDAY, JANUARY 17TH

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

SB 20 : require a voter use a pen when marking a ballot.

Presented by: Tom Deadrick, Secretary of State
Proponents: Thomas Oliva, Hughes County, Pierre
Penny Bay Bridge, Self, Sioux Falls

MOTION: AMEND SB 20

20B

On page 1, line 4, of the Introduced bill, after "ballot" insert " or optical scan ballot"
On page 1, line 4, of the Introduced bill, after "a" insert " black or blue ink"
On page 1, line 5, of the Introduced bill, after "the" delete ". The voter may mark the ballot with either a cross (x) or check mark (√)"
On page 1, line 7, of the Introduced bill, after "(√)." delete "Section 2. That § 12-18-16. 1 be AMENDED:
"

On page 1, line 8, of the Introduced bill, after "AMENDED:" delete "12-18-16. 1. "
On page 1, line 8, of the Introduced bill, after "12-18-16.1. " delete "If an optical scan ballot is used, the voter may use a pencil or other marking instrument provided must use a pen to mark the voter's choice on the ballot."
On page 1, after line 9, of the Introduced bill, insert: "
Section 2. That § 12-18-16.1 be REPEALED.

~~If an optical scan ballot is used, the voter may use a pencil or other marking instrument provided to mark the voter's choice on the ballot."~~

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

MOTION: AMEND SB 20

20C

On page 1, line 4, of the Introduced bill, after "ballot" insert " or optical scan ballot"
On page 1, line 4, of the Introduced bill, after "a" insert " black or blue ink"

On page 1, line 4, of the Introduced bill, after "a" insert " ballpoint"

On page 1, line 5, of the Introduced bill, after "the" delete ". The voter may mark the ballot with either a cross (x) or check mark (√)"

On page 1, line 7, of the Introduced bill, after "(√)." delete "Section 2. That § 12-18-16. 1 be AMENDED:
"

On page 1, line 8, of the Introduced bill, after "AMENDED:" delete "12-18-16. 1. "

On page 1, line 8, of the Introduced bill, after "12-18-16.1. " delete "If an optical scan ballot is used, the voter may use a pencil or other marking instrument provided must use a pen to mark the voter's choice on the ballot."

On page 1, after line 9, of the Introduced bill, insert: "

Section 2. That § 12-18-16.1 be REPEALED.

~~If an optical scan ballot is used, the voter may use a pencil or other marking instrument provided to mark the voter's choice on the ballot."~~

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

MOTION: DO PASS SB 20 AS AMENDED

Moved by: Smith
Second by: Duhamel
Action: Prevailed by roll call vote (6-0-1-0)

Voting Yes: Wheeler, Nelson, Schoenfish, Smith, Duhamel, and Reed

Excused: Rohl

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 20 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 21 : prevent a member of a governing body from assisting in the canvass of the votes for an office for which the member is a candidate.

Presented by: Tom Deadrick, Secretary of State
Proponents: Sara Rankin, South Dakota Municipal League, FORT PIERRE
Opponents: Thomas Oliva, Hughes County, Pierre

THE CHAIR DEFERRED SB 21

The gavel was passed to Vice Chair, Senator Duhamel.

SB 74 : require the publication and review of an explanation of the open meeting laws of this state.

Presented by: Senator Tim Reed
Proponents: David Bordewyk, South Dakota NewsMedia Association, Brookings (Handout(s) 1)
Sara Rankin, South Dakota Municipal League, FORT PIERRE
Kris Jacobsen, South Dakota Association of County Officials, Pierre
Grant Flynn, Attorney General

MOTION: AMEND SB 74

74A

On page 2, line 24, of the Introduced bill, after "state" insert the comma
 On page 2, line 25, of the Introduced bill, after "must" insert " annually"
 On page 2, line 26, of the Introduced bill, delete " at the first official" and insert ", during an official"
 On page 2, line 26, of the Introduced bill, after "subdivision" delete " each calendar year"
 On page 2, line 31, of the Introduced bill, after "general." insert "
 The agency or subdivision must include in the minutes of the official meeting an acknowledgement that the review"
 On page 2, line 31, of the Introduced bill, after "general." insert " was"
 On page 2, line 31, of the Introduced bill, after "general." insert " completed."

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

MOTION: DO PASS SB 74 AS AMENDED

Moved by: Wheeler
 Second by: Smith
 Action: Prevailed by roll call vote (6-0-1-0)

Voting Yes: Wheeler, Nelson, Schoenfish, Smith, Duhamel, and Reed

Excused: Rohl

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 74 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

The gavel was passed to Chair, Senator Reed.

MOTION: ADJOURN

Moved by: Smith
 Second by: Nelson
 Action: Prevailed by voice vote

Anne Reisch, Committee Secretary

 /s/ TIM S. REED
 Tim S. Reed, Chair