

Minutes: Senate State Affairs

Monday, March 03, 2025 10:00 AM

Roll Call

Present: Sen. Beal, Sen. Deibert, Sen. Jensen (Kevin), Sen. Karr, Sen. Larson, Sen. Peterson (Sue), Sen. Pischke, Sen. Perry, and Sen. Mehlhaff

**The meeting was called to order by Senator Mehlhaff**

**MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 26<sup>TH</sup>**

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

**HB 1059 : clarify the meaning of teleconference for purposes of open meeting requirements.**

Presented by: Representative Mary J. Fitzgerald  
Proponents: Justin G. Smith, South Dakota NewsMedia Association, Brookings  
Yvonne Taylor, South Dakota Municipal League, Fort Pierre

**MOTION: DO PASS HB 1059**

Moved by: Perry  
Second by: Deibert  
Action: Prevailed by Majority Members Elect (9-0-0-0)

Voting Yes: Beal, Deibert, Jensen (Kevin), Karr, Larson, Peterson (Sue), Pischke, Perry, and Mehlhaff

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1059 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**HB 1106 : require a report regarding refugee resettlement services.**

Presented by: Representative Julie K. Auch  
Proponents: Senator Taffy Howard  
Florence K. Thompson, SD Citizens for Liberty, Rapid City

**MOTION: DO PASS HB 1106**

Moved by: Jensen (Kevin)  
Second by: Pischke  
Action: Prevailed by Majority Members Elect (9-0-0-0)

Voting Yes: Beal, Deibert, Jensen (Kevin), Karr, Larson, Peterson (Sue), Pischke, Perry, and Mehlhaff

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1106 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**HB 1164 : revise the process for nominating candidates for lieutenant governor.**

Presented by: Representative Tim Goodwin

Proponents: Jon Kotilnek, Governor's Office

Opponents: Jim Eschenbaum, Self, South Dakota Republican Party, Miller  
Janet Jensen, Self, South Dakota Republican Party Vice Chairman, Rapid City  
John James, Self, Rapid City  
Karli Healey, Self, Rapid City

**MOTION: AMEND HB 1164**

1164B

On page 1, line 11, of the Introduced bill, after "party." delete "Section 2. That chapter 12-5 be amended with a NEW SECTION:"

On page 1, line 12, of the Introduced bill, after "SECTION:" delete "A candidate for Governor shall nominate a candidate for lieutenant governor by certifying the nomination to the secretary of state no later than five p. m. central time on the second Tuesday in August in the year of the election. The candidate for Governor and the candidate's nominee for lieutenant governor shall sign the certification."

On page 1, line 16, of the Introduced bill, after "certification." delete "A candidate for lieutenant governor may withdraw from the nomination by filing a request under oath with the secretary of state. If a candidate for lieutenant governor withdraws, the candidate for Governor must nominate a replacement by certifying the nomination to the secretary of state no later than five p. m. central time on the second Tuesday in August in the year of the election. The candidate for Governor and the candidate's replacement nominee for lieutenant governor shall sign the certification."

The secretary of state may not place the name of the candidate for Governor on the general election ballot until a candidate for lieutenant governor has been certified.

The State Board of Elections shall promulgate rules, pursuant to chapter 1-26, prescribing the forms of the certification and withdrawal of a candidate for lieutenant governor."

On page 2, after line 3, of the Introduced bill, insert: "

**Section 2. That a NEW SECTION be added to chapter 12-6:**

A nominating petition filed by or on behalf of a candidate for a party's nomination for Governor must include the name of the individual that the candidate selects as lieutenant governor. The candidate must certify the selection to the secretary of state, and the candidate for Governor and the candidate's selection for lieutenant governor must sign the certification before the nominating petition may be circulated. The name of the candidate's selection for lieutenant governor must be included on the ballot in the same way as the party's candidate for lieutenant governor is listed on the general election ballot.

The candidate for lieutenant governor selected by the candidate for Governor who receives the highest number of votes at the primary election or, if applicable, runoff election held pursuant to § 12-6-51.1, is nominated as the party's candidate for lieutenant governor."

On page 2, after line 3, of the Introduced bill, insert: "

**Section 3. That a NEW SECTION be added to chapter 12-6:**

For good cause, a candidate for lieutenant governor may withdraw from the nomination by filing a request under oath with the secretary of state. If a candidate for

lieutenant governor withdraws, the candidate for Governor must nominate a replacement by certifying the nomination to the secretary of state no later than five p.m. central time on the second Tuesday in August in the year of the election. The candidate for Governor and the candidate's replacement nominee for lieutenant governor shall sign the certification.

The secretary of state may not place the name of the candidate for Governor on the general election ballot until a candidate for lieutenant governor has been certified.

The State Board of Elections shall promulgate rules, pursuant to chapter 1-26, prescribing the forms of the certification and withdrawal of a candidate for lieutenant governor."

On page 2, line 8, of the Introduced bill, delete " August" and insert " July"

On page 2, line 9, of the Introduced bill, remove the overstrikes from " before the nominating petitions are circulated."

On page 2, line 11, of the Introduced bill, delete "An " and insert "For good cause, an "

On page 2, after line 23, of the Introduced bill, insert: "

**Section 5. That § 12-25-28 be AMENDED:**

**12-25-28.** Any candidate for the United States Senate, the United States House of Representatives, Governor, lieutenant governor, circuit court judge, or the Legislature shall file a statement of financial interest with the secretary of state not more than fifteen days after filing the candidate's nominating petitions. Any Supreme Court justice shall file a statement of financial interest with the secretary of state not more than fifteen days following notice to the secretary of state of the justice's intention to place the justice's name on the retention ballot. A violation of this section is a petty offense. Any intentional violation of this section is a Class 2 misdemeanor."

On page 2, after line 23, of the Introduced bill, insert: "

**Section 6. That § 12-25-29 be AMENDED:**

**12-25-29.** Any candidate for ~~lieutenant governor~~, state treasurer, attorney general, secretary of state, state auditor, public utilities commissioner, or commissioner of school and public lands shall file a statement of financial interest with the secretary of state not more than fifteen days after the candidate's nomination is certified. A violation of this section is a petty offense. Any intentional violation of this section is a Class 2 misdemeanor."

Moved by: Pischke  
Second by: Perry  
Action: Failed by Majority Members Elect (2-6-1-0)

Voting Yes: Pischke and Perry

Voting No: Beal, Deibert, Jensen (Kevin), Karr, Larson, and Mehlhaff

Excused: Peterson (Sue)

**MOTION: DO PASS HB 1164**

Moved by: Deibert  
Second by: Beal  
Action: Prevailed by Majority Members Elect (5-3-1-0)

Voting Yes: Beal, Deibert, Karr, Larson, and Mehlhaff

Voting No: Jensen (Kevin), Pischke, and Perry

Excused: Peterson (Sue)

**HB 1222 : expand the authorized carrying, possession, and storage of a concealed pistol.**

Presented by: Representative Kaley Nolz

Proponents: Terra Larson, South Dakota Association of Criminal Defense Lawyers, Rapid City  
Brian Gosch, National Rifle Association of America, Fairfax, VA  
Richard Rigney, Self, Harrisburg  
Megan Tschetter, Self, Hartford

**MOTION: DO PASS HB 1222**

Moved by: Jensen (Kevin)

Second by: Deibert

Action: Prevailed by Majority Members Elect (7-1-1-0)

Voting Yes: Beal, Deibert, Jensen (Kevin), Karr, Pischke, Perry, and Mehlhaff

Voting No: Larson

Excused: Peterson (Sue)

**HB 1216 : modify and repeal provisions related to the Legislative Research Council.**

Presented by: Representative Jim Halverson

**THE CHAIR DEFERRED HB 1216 UNTIL 3PM THIS AFTERNOON, OR 10 MINUTES AFTER SENATE ADJOURNS IN ROOM 423**

**HB 1052 : prohibit the exercise of eminent domain for a pipeline that carries carbon oxide.**

Presented by: Senator Mark Lapka

Proponents: Amanda Radke, Self, Mitchell  
Representative John Hanson, District 25  
Representative Karla J. Lems  
Craig Schaunaman, Self, Aberdeen  
Chase Jensen, Dakota Rural Action, Brookings  
Lynda Burggraff, Self, Egan  
Carol Klein, Self, Gann Valley  
Ron Klein, Self, Gann Valley  
Helen LeBrun, Self, Egan  
Deb Ross, Self, Aberdeen  
Chet Ellsworth, Self, Rapid City  
Michael Boyle, Self, Parkston

- Dahl McLean, Self, Spearfish
- Dave Adam, Self, Clark
- Vinnie Martin, Self, Clark
- Arny Erickson, Self, Valley Springs
- James Elijah, Self, Sinai
- Melisa Elijah, Self, Sinai
- Terry Pritchard, Self, Aurora
- Jodi Waltman, Self, Leola
- Kate Parkinson, Self, Brandon
- Kari Black, Self, Tea/Madison
- R.J. Wright, Self, Brandon
- Lisa Wright, Self, Brandon
- Rita Brownlee, Self, Watertown
- Anthony Kathol, Self, Martin
- Stacy Sinner, Self, Watertown
- Jeff Church, Self, Vermillion
- Thomas Delbert Leonhardt, Self, Mansfield
- Donna Olson, Self, Avon
- Karli Healey, Self, Rapid City
- Senator Joy Hohn
- Mitch Richter, South Dakota Farmers Union, Huron
- Jim Eschenbaum, Self, South Dakota Republican Party, Miller
- Opponents: Brett Koenecke, Summit Carbon Solutions, Ames, IA
- Samuel J. Nelson, Corn Growers Association, Sioux Falls
- Doug Berven, South Dakota Ethanol Producers Association, ONIDA
- Richie Schmidt, Self, Sioux Falls
- Kent Hartwig, Gevo Incorporated, Centennial, CO
- Dave Anderson, Self, Hudson
- Nathan Runke, Self, Rochester
- Todd Brown, Self, Dell Rapids
- Mitch Rave, Greater Sioux Falls Chamber of Commerce, Sioux Falls
- Walt Wendland, Ringneck Energy, Onida
- Rich Wialda, Self, Castlewood
- Ben Elliot, Self, Madison
- Thomas Plocher, Self, Sioux Falls
- Clayton Minor, Self, Riutland
- Gary Hudiburgh, UBC-Sota South Dakota, Self, Custer
- Mike Karbo, Self, American Petroleum Institute, St Paul MN
- Others: DaNita Murray, South Dakota Corn Growers Association, Sioux Falls

**MOTION: DO PASS HB 1052**

Moved by: Peterson (Sue)  
 Second by: Pischke  
 Action: Prevailed by Majority Members Elect (7-2-0-0)

Voting Yes: Deibert, Jensen (Kevin), Karr, Larson, Peterson (Sue), Pischke, and Perry

Voting No: Beal and Mehlhaff

**MOTION: ADJOURN**

Moved by: Pischke

Second by: Deibert  
Action: Prevailed by voice vote

Doug Mortenson, Committee Secretary

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/s/ JIM MEHLHAFF  
Jim Mehlhaff, Chair