

Minutes: Senate State Affairs

Monday, March 03, 2025 3:00 PM

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**

**JAMIE STUCKY OF LINCOLN COUNTY, LENNOX, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION**

Presented by: Sarah Hitchcock, Governor's Office

Proponents: Nick Wendell, Executive Director, Board of Technical Education

**MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE APPOINTMENT OF JAMIE STUCKY OF LINCOLN COUNTY, LENNOX, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION**

Moved by: Pischke

Second by: Beal

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

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

Excused: Larson

**KAY SCHALLENKAMP OF LAWRENCE COUNTY, SPEARFISH, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION**

Presented by: Nick Wendell, Executive Director, Board of Technical Education

**MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF KAY SCHALLENKAMP OF LAWRENCE COUNTY, SPEARFISH, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION**

Moved by: Deibert

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 THE APPOINTMENT OF KAY SCHALLENKAMP OF LAWRENCE COUNTY, SPEARFISH, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**JOY NELSON OF CODINGTON COUNTY, WATERTOWN, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION**

Presented by: Nick Wendell, Executive Director, Board of Technical Education

**MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF JOY NELSON OF CODINGTON COUNTY, WATERTOWN, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION**

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 THE APPOINTMENT OF JOY NELSON OF CODINGTON COUNTY, WATERTOWN, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**BRAD GREENWAY OF DAVISON COUNTY, MITCHELL, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION**

Presented by: Nick Wendell, Executive Director, Board of Technical Education

**MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF BRAD GREENWAY OF DAVISON COUNTY, MITCHELL, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION**

Moved by: Pischke  
Second by: Jensen (Kevin)  
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 THE APPOINTMENT OF BRAD GREENWAY OF DAVISON COUNTY, MITCHELL, SOUTH DAKOTA, TO THE SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

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

Presented by: Representative Jim Halverson

**MOTION: DO PASS HB 1216**

Moved by: Perry

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

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

Voting No: Larson

**HB 1062 : amend provisions pertaining to the maintenance and publication of the statewide voter registration file.**

Presented by: Representative Heather Baxter (Handout(s) HO#1, HO#2, HO#3)

Proponents: Jessica Pollema, Self, Sioux Falls  
Megan Tschetter, Self, Hartford  
Florence K. Thompson, SD Citizens for Liberty, Rapid City  
Cindy Meyer, Self, Hartford  
Anna Marrs, Self, Dell Rapids  
Michael Boyle, Self, Parkston  
Dahl McLean, Self, Spearfish  
Mike Assman, Self, Mission  
Meta Halverson, Self, Whitewood  
Kari Black, Self, Tea/Madison  
Julie Peppel, Self, St Charles  
Gary Meyer, Self, Hartford  
Steve McCance, Self, Dallas  
Linda Montgomery, Self, Fairview  
Representative Kathy Rice  
Jodi Waltman, Self, Leola  
Jeff Stewart, Self, Wagner  
Penny Bay Bridge, Self, Sioux Falls  
Janet Jensen, Self, South Dakota Republican Party Vice Chairman, Rapid City  
Leah Anderson, Minnehaha County Auditor, Sioux Falls  
Opponents: Rachel Soulek, Secretary of State (Handout(s) Ho#4, HO#5, HO6)  
Jon Kotilnek, Governor's Office  
Thomas Oliva, Self, Pierre  
Samantha Chapman, American Civil Liberties Union Foundation Incorporated, NY

**MOTION: DO PASS HB 1062**

Moved by: Jensen (Kevin)  
Second by: Perry  
Action: Was not acted on.

**MOTION: SUBSTITUTE MOTION: DEFER HB 1062 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Deibert  
Second by: Larson  
Action: Prevailed by Majority Members Elect (5-4-0-0)

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

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

**HB 1066 : revise residency requirements for the purposes of voter registration.**

Presented by: Representative Tony Kayser

Proponents: Jessica Pollema, Self, Sioux Falls  
 Megan Tschetter, Self, Hartford  
 Florence K. Thompson, SD Citizens for Liberty, Rapid City  
 Michael Boyle, Self, Parkston  
 Anna Marrs, Self, Dell Rapids  
 Dahl McLean, Self, Spearfish  
 Representative Heather Baxter  
 Meta Halverson, Self, Whitewood  
 Gary Meyer, Self, Hartford  
 Cindy Meyer, Self, Hartford  
 Penny Bay Bridge, Self, Sioux Falls  
 Mike Assman, Self, Mission  
 Jodi Waltman, Self, Leola  
 Julie Peppel, Self, St Charles  
 Steve McCance, Self, Dallas  
 Linda Montgomery, Self, Fairview  
 Leah Anderson, Minnehaha County Auditor, Sioux Falls  
 John Kunnari, Self, Sioux Falls

Opponents: Justin G. Smith, Association of South Dakota Mail Forwarders, Watertown  
 Thomas Oliva, Self, Pierre  
 Samantha Chapman, American Civil Liberties Union Foundation Incorporated, NY  
 Eric Tomlin, Self, Box Elder

**MOTION: AMEND HB 1066**

1066L

On page 1, line 10, of the House State Affairs Engrossed bill, after "may" delete " have"

On page 1, line 10, of the House State Affairs Engrossed bill, after "only" insert " be a resident of"

On page 1, line 10, of the House State Affairs Engrossed bill, after "place" delete " of residence"

On page 1, line 21, of the House State Affairs Engrossed bill, after "person" delete " of"

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

**MOTION: DO PASS HB 1066 AS AMENDED**

Moved by: Pischke  
 Second by: Peterson (Sue)  
 Action: Prevailed by Majority Members Elect (8-1-0-0)

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

Voting No: Larson

**HB 1073 : designate contact information provided on a voter registration form as not for public inspection.**

Presented by: Representative Mike Weisgram  
Proponents: Jeff Slocum, Self, Pierre  
Opponents: Jessica Pollema, Self, Sioux Falls  
Cindy Meyer, Self, Hartford  
Michael Boyle, Self, Parkston  
Penny Bay Bridge, Self, Sioux Falls  
Leah Anderson, Minnehaha County Auditor, Sioux Falls  
John Kunnari, Self, Sioux Falls

**MOTION: DEFER HB 1073 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Pischke  
Second by: Peterson (Sue)  
Action: Prevailed by Majority Members Elect (5-4-0-0)

Voting Yes: Beal, Jensen (Kevin), Karr, Peterson (Sue), and Pischke

Voting No: Deibert, Larson, Perry, and Mehlhaff

**HB 1259 : prohibit unauthorized access to certain multi-occupancy rooms and to provide a penalty therefor.**

Presented by: Representative Brandei Schaeffbauer  
Proponents: Michael Boyle, Self, Parkston  
Cody Grace, Self, Huron  
Tyler Volesky, Self, Huron  
Michael G. Pauley, South Dakota Catholic Conference, Rapid City  
Linda Schauer, Concerned Women for America, Alexandria, VA  
Norman Woods, SD Family Voice Action, Rapid City  
Penny Bay Bridge, Self, Sioux Falls  
Sara Beth Nolan, ADF Action, LEESBURG  
Annika Bruner, Self, Sioux Falls  
Florence K. Thompson, South Dakota Parents Involved in Education, Caputa  
Florence K. Thompson, SD Citizens for Liberty, Rapid City  
Representative Kathy Rice  
Opponents: Lily Halter, Self, Huron  
Isabella Schafer, Self, Huron  
Melissa McCauley, South Dakotans for Equity, Sioux Falls  
Jessica Filler, Bureau of Human Resources and Administration  
Sara Rankin, South Dakota Municipal League, Fort Pierre  
Samantha Chapman, American Civil Liberties Union Foundation Incorporated, NY

**MOTION: AMEND HB 1259**

1259B

On page 1, line 1, of the House State Affairs Engrossed bill, after "rooms" delete " and to provide a penalty therefor"

On page 1, line 7, of the House State Affairs Engrossed bill, after "others" insert ", including a multi-occupancy locker room or shower room"

On page 2, line 6, of the House State Affairs Engrossed bill, after "quarters" insert " rented by the public school"

On page 2, line 7, of the House State Affairs Engrossed bill, after "males." delete "If a public school student participates in a school or school district sponsored or sanctioned activity occurring at a location other than the school in which the student is enrolled, the school must ensure that any multi-occupancy changing room, restroom, or sleeping quarters, located at the site of the activity and available to the student, is designated for use exclusively by females or for use exclusively by males."

"

On page 2, line 23, of the House State Affairs Engrossed bill, delete the comma and insert " or"

On page 2, line 23, of the House State Affairs Engrossed bill, after "restroom" delete ", or sleeping quarters"

On page 2, line 25, of the House State Affairs Engrossed bill, delete the comma and insert " or"

On page 2, line 25, of the House State Affairs Engrossed bill, after "restroom" delete ", or shower room"

On page 2, line 28, of the House State Affairs Engrossed bill, delete " for members of the opposite sex" and insert " by designating each as available for use exclusively by female students or for use exclusively by male students"

On page 3, line 5, of the House State Affairs Engrossed bill, delete the comma and insert " or"

On page 3, line 5, of the House State Affairs Engrossed bill, after "restroom" delete ", or shower room"

On page 3, line 11, of the House State Affairs Engrossed bill, delete " school district" and insert " public school"

On page 3, line 12, of the House State Affairs Engrossed bill, delete " overnight sleeping accommodations" and insert " changing rooms or sleeping quarters"

On page 3, line 12, of the House State Affairs Engrossed bill, after "all" insert " multi-occupancy changing rooms and"

On page 3, line 25, of the House State Affairs Engrossed bill, delete " encountered" and insert " encounters"

On page 3, line 26, of the House State Affairs Engrossed bill, after "designated" insert " by the public school"

On page 4, line 10, of the House State Affairs Engrossed bill, after "others" insert ", including a multi-occupancy locker room or shower room"

On page 4, line 29, of the House State Affairs Engrossed bill, delete " shower room" and insert " sleeping quarters"

On page 5, line 6, of the House State Affairs Engrossed bill, delete " and" and insert a comma

On page 5, line 7, of the House State Affairs Engrossed bill, after "rooms" insert ", and sleeping quarters"

On page 5, line 32, of the House State Affairs Engrossed bill, delete the comma and insert " or"

On page 5, line 32, of the House State Affairs Engrossed bill, after "restroom" delete ", or shower room"

Moved by: Perry

Second by: Jensen (Kevin)

Action: Prevailed by voice vote

**MOTION: AMEND HB 1259**

1259D

On page 1, line 1, of the House State Affairs Engrossed bill, after "rooms" delete " and to provide a penalty therefor"

On page 1, line 7, of the House State Affairs Engrossed bill, after "others" insert ", including a multi-occupancy locker room or shower room"

On page 2, line 6, of the House State Affairs Engrossed bill, after "quarters" insert " rented by the public school"

On page 2, line 7, of the House State Affairs Engrossed bill, after "males." delete "If a public school student participates in a school or school district sponsored or sanctioned activity occurring at a location other than the school in which the student is enrolled, the school must ensure that any multi-occupancy changing room, restroom, or sleeping quarters, located at the site of the activity and available to the student, is designated for use exclusively by females or for use exclusively by males."

On page 2, line 23, of the House State Affairs Engrossed bill, delete the comma and insert " or"

On page 2, line 23, of the House State Affairs Engrossed bill, after "restroom" delete ", or sleeping quarters"

On page 2, line 25, of the House State Affairs Engrossed bill, delete the comma and insert " or"

On page 2, line 25, of the House State Affairs Engrossed bill, after "restroom" delete ", or shower room"

On page 2, line 28, of the House State Affairs Engrossed bill, delete " for members of the opposite sex" and insert " by designating each as available for use exclusively by female students or for use exclusively by male students"

On page 3, line 5, of the House State Affairs Engrossed bill, delete the comma and insert " or"

On page 3, line 5, of the House State Affairs Engrossed bill, after "restroom" delete ", or shower room"

On page 3, line 11, of the House State Affairs Engrossed bill, delete " school district" and insert " public school"

On page 3, line 12, of the House State Affairs Engrossed bill, delete " overnight sleeping accommodations" and insert " changing rooms or sleeping quarters"

On page 3, line 12, of the House State Affairs Engrossed bill, after "all" insert " multi-occupancy changing rooms and"

On page 3, line 25, of the House State Affairs Engrossed bill, delete " encountered" and insert " encounters"

On page 3, line 26, of the House State Affairs Engrossed bill, after "designated" insert " by the public school"

On page 4, line 10, of the House State Affairs Engrossed bill, after "others" insert ", including a multi-occupancy locker room or shower room"

On page 4, line 29, of the House State Affairs Engrossed bill, delete " shower room" and insert " sleeping quarters"

On page 5, line 6, of the House State Affairs Engrossed bill, delete " and" and insert a comma

On page 5, line 7, of the House State Affairs Engrossed bill, after "rooms" insert ", and sleeping quarters"

On page 5, line 29, of the House State Affairs Engrossed bill, after "officer" insert ", corrections officer,"

On page 5, line 32, of the House State Affairs Engrossed bill, delete the comma and insert " or"

On page 5, line 32, of the House State Affairs Engrossed bill, after "restroom" delete ", or shower room"

Moved by: Jensen (Kevin)

Second by: Pischke

Action: Withdrawn

**MOTION: DO PASS HB 1259 AS AMENDED**

Moved by: Peterson (Sue)

Second by: Jensen (Kevin)

Action: Prevailed by Majority Members Elect (7-2-0-0)

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

Voting No: Deibert and Larson

**MOTION: ADJOURN**

Moved by: Perry

Second by: Karr

Action: Prevailed by voice vote

Doug Mortenson, Committee Secretary

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/s/ JIM MEHLHAFF  
Jim Mehlhaff, Chair