

Committee: House State Affairs

Monday, February 24, 2020 7:45 AM

Roll Call

Present: Rep. Anderson, Rep. Dennert, Rep. Diedrich, Rep. Goodwin, Rep. Hansen, Rep. Haugaard, Rep. Kevin Jensen, Rep. Kent Peterson, Rep. Jamie Smith, Rep. Beal, and Rep. Qualm
Excused: Rep. Gosch and Rep. McCleerey

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Qualm

MOTION: TO APPROVE THE MINUTES OF

Moved by: Kent Peterson
Second by: Kevin Jensen
Action: Prevailed by voice vote

HJR 5002 : Proposing and submitting to the electors at the next general election an amendment to the Constitution of the State of South Dakota, relating to legislative reapportionment.

Presented by: Representative Jamie Smith
Proponents: Amy Scott-Stollz, League of Women Voters SD
Naomi Ludeman Smith, LEAD South Dakota
Naomi Ludeman Smith, SD Voices for Peace
Sr. Kathleen Bierm, Presentation Sisters
Mitch Richter, South Dakota Farmers Union
Rebecca Terk, Dakota Rural Action
Julie Santelle, self, Rapid City
Teryl Cruse, self, Pierre
Opponents: Senator Jim Bolin (Handout(s) 1)

MOTION: DEFER HJR 5002 TO THE 41ST LEGISLATIVE DAY

Moved by: Dennert
Second by: Beal
Action: Prevailed by roll call vote (10-1-2-0)

Voting Yes: Anderson, Dennert, Diedrich, Goodwin, Hansen, Haugaard, Kevin Jensen, Kent Peterson, Beal, and Qualm

Voting No: Jamie Smith

Excused: Gosch and McCleerey

MOTION: AMEND HB 1267

1267A

On page 1, line 1, of the Introduced bill, delete "Orion " and insert "Tayamni "
On page 1, line 5, of the Introduced bill, delete "Orion " and insert "Tayamni "

Moved by: Hansen
Second by: Kent Peterson
Action: Prevailed by voice vote

HB 1267 : designate Orion as the official constellation of South Dakota.

Presented by: Representative Scyller Borglum
Proponents: Diane Knutson, self, Sioux Falls (Handout(s) 2)

MOTION: DEFER HB 1267 TO THE 41ST LEGISLATIVE DAY

Moved by: Anderson
Second by: Hansen
Action: Prevailed by roll call vote (7-4-2-0)

Voting Yes: Anderson, Hansen, Haugaard, Kent Peterson, Jamie Smith, Beal, and Qualm

Voting No: Dennert, Diedrich, Goodwin, and Kevin Jensen

Excused: Gosch and McCleerey

HB 1276 : provide for a review of occupational regulation.

Presented by: Representative Isaac Latterell

MOTION: TO TABLE HB 1276

Moved by: Kent Peterson
Second by: Beal
Action: Prevailed by roll call vote (11-0-2-0)

Voting Yes: Anderson, Dennert, Diedrich, Goodwin, Hansen, Haugaard, Kevin Jensen, Kent Peterson, Jamie Smith, Beal, and Qualm

Excused: Gosch and McCleerey

MOTION: AMEND HB 1263

1263D

On page 1, line 1, of the Introduced bill, delete "elections occur in conjunction with the general election" and insert "actions be referred to the voters and to limit the dates on which certain school district elections may be held"

After page 1, line 3, of the Introduced bill, insert "

Section 1. That § 13-16-6.3 be AMENDED:

13-16-6.3. Hearing on installment purchase, lease-purchase or capital outlay certificates-- Approval or reference to voters.

Any proposed ~~installment purchase contract, lease-purchase, or~~ issue of capital outlay certificates authorized pursuant to § 13-16-6 or 13-16-6.2 which will obligate the school district for future payments on the principal, the total of which will exceed one and one-half percent of the taxable valuation of taxable property within the district, may not be entered into, or certificates issued, unless prior thereto the school board conducts a public hearing thereon after having given

notice by publication at least twice in its official newspaper at least ten days before the hearing. Upon the hearing the board may approve the action ~~or may~~. If the board approves the action, the board shall refer the matter to the voters of the district.

"

On page 1, line 7, of the Introduced bill, after "election." delete "Approval to enter into an agreement or issue capital outlay certificates to which § 13-16-6. 3 applies is subject to a referendum if five percent of the registered voters, based upon the total number of registered voters at the last preceding general election, petition, within twenty days thereafter, to have the question of approval or disapproval of the agreement or issue of capital outlay certificates or the lease-purchase agreement placed upon the ballot at the next regular election or at a special election called for that purpose. "

On page 1, line 14, of the Introduced bill, after "the " insert "primary election, as provided for under § 12-2-1, or on the date of the "

On page 1, line 15, of the Introduced bill, delete ", and " and insert ". The special election may also be held on the first Tuesday following the first Monday in June or on the first Tuesday following the first Monday in November in odd-numbered years. The business manager shall "

Moved by: Hansen
Second by: Dennert
Action: Prevailed by voice vote

HB 1263 : require that certain school district elections occur in conjunction with the general election.

Presented by: Representative Tim Goodwin
Proponents: Tonchi Weaver, Citizens for Liberty
Don Haggar, Americans for Prosperity
Opponents: Wade Pogany, Associated School Boards of South Dakota
Susan Kipke, Davison County
Lorin Pankratz, South Dakota County Commissioners Association
Rob Monson, School Administrators of South Dakota

MOTION: DO PASS HB 1263 AS AMENDED

Moved by: Hansen
Second by: Dennert
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: AMEND HB 1263

1263E

On the previously adopted amendment (1263D), On page 1, line 15, remove the overstrikes from " or may"

On the previously adopted amendment (1263D), On page 1, line 15, after "may" delete ". If the board approves the action, the board shall"

Moved by: Hansen
Second by: Kevin Jensen
Action: Prevailed by voice vote

MOTION: DO PASS HB 1263 AS AMENDED

Moved by: Hansen
Second by: Dennert

Action: Prevailed by roll call vote (11-1-1-0)

Voting Yes: Anderson, Dennert, Diedrich, Goodwin, Gosch, Hansen, Haugaard, Kevin Jensen, Kent Peterson, Beal, and Qualm

Voting No: Jamie Smith

Excused: McCleerey

MOTION: AMEND HB 1263

1263F

On the previously adopted amendment (1263D), On page 1, line 1, after "to " delete "require that certain school district "

On the previously adopted amendment (1263D), On page 1, line 2, delete "actions be referred to the voters and to limit " and insert "revise certain provisions regarding "

Moved by: Kent Peterson

Second by: Dennert

Action: Prevailed by voice vote

THE CHAIR DEFERRED HB 1245 UNTIL WEDNESDAY, FEBRUARY 26TH 2020

HB 1180 : require certain infrastructure standards in certain annexed areas.

Presented by: Representative Tim Reed

Opponents: Darla Pollman Rogers, SD Rural Electric Association (Handout(s) 3)

Others: Chris Studer, East River Electric

MOTION: DO PASS HB 1180

Moved by: Diedrich

Second by: Goodwin

Action: Failed by roll call vote (2-10-1-0)

Voting Yes: Diedrich and Goodwin

Voting No: Anderson, Dennert, Gosch, Hansen, Haugaard, Kevin Jensen, Kent Peterson, Jamie Smith, Beal, and Qualm

Excused: McCleerey

MOTION: DEFER HB 1180 TO THE 41ST LEGISLATIVE DAY

Moved by: Dennert

Second by: Gosch

Action: Prevailed by roll call vote (12-0-1-0)

Voting Yes: Anderson, Dennert, Diedrich, Goodwin, Gosch, Hansen, Haugaard, Kevin Jensen, Kent Peterson, Jamie Smith, Beal, and Qualm

Excused: McCleerey

The House State Affairs Committee recessed until session adjournment at which time they will reconvene.

HB 1199 : require certain annexation information be provided to electric utilities.

Presented by: Representative Tim Reed
Proponents: Ed Anderson, SD Rural Electric

MOTION: DO PASS HB 1199

Moved by: Kent Peterson
Second by: Beal
Action: Prevailed by roll call vote (9-0-4-0)

Voting Yes: Anderson, Dennert, Goodwin, Hansen, Kevin Jensen, Kent Peterson, Jamie Smith, Beal, and Qualm

Excused: Diedrich, Gosch, Haugaard, and McCleerey

MOTION: AMEND HB 1261

1261B

On page 2, line 9, of the Introduced bill, delete "five " and insert "four "
On page 2, line 10, of the Introduced bill, delete "five " and insert "four "
On page 2, line 18, of the Introduced bill, after "chair" insert ", or at the petition of a majority of the members-elect of the committee"
On page 3, line 21, of the Introduced bill, delete " 2-18-10" and insert " 2-18-9"
On page 3, line 26, of the Introduced bill, delete " 2-18-9" and insert " 2-18-8"
On page 4, line 11, of the Introduced bill, delete " 2-18-9" and insert " 2-18-8"
On page 4, line 18, of the Introduced bill, after "not " delete "enforce those laws against a person who attempts to "
On page 5, line 23, of the Introduced bill, delete " 2-18-7" and insert " 2-18-8"
Moved by: Dennert
Second by: Kevin Jensen
Action: Prevailed by voice vote

HB 1261 : provide procedures to enforce the integrity of the United States Constitution.

Presented by: Representative David Johnson
Proponents: Linda Schauer, Concerned Women of America
David Oldham, self, Oklahoma

MOTION: DO PASS HB 1261 AS AMENDED

Moved by: Dennert
Second by: Gosch
Action: Failed by roll call vote (4-7-2-0)

Voting Yes: Dennert, Goodwin, Gosch, and Kevin Jensen

Voting No: Anderson, Hansen, Haugaard, Kent Peterson, Jamie Smith, Beal, and Qualm

Excused: Diedrich and McCleerey

MOTION: DEFER HB 1261 TO THE 41ST LEGISLATIVE DAY

Moved by: Anderson

Second by: Jamie Smith

Action: Prevailed by roll call vote (7-4-2-0)

Voting Yes: Anderson, Hansen, Haugaard, Kent Peterson, Jamie Smith, Beal, and Qualm

Voting No: Dennert, Goodwin, Gosch, and Kevin Jensen

Excused: Diedrich and McCleerey

MOTION: RECONSIDER HB 1249

Moved by: Haugaard

Second by: Hansen

Action: Prevailed by roll call vote (7-4-2-0)

Voting Yes: Dennert, Goodwin, Hansen, Haugaard, Kevin Jensen, Jamie Smith, and Qualm

Voting No: Anderson, Gosch, Kent Peterson, and Beal

Excused: Diedrich and McCleerey

MOTION: ADJOURN

Moved by: Kevin Jensen

Second by: Dennert

Action: Prevailed by voice vote

Pam Kean, Committee Secretary

/s/ LEE QUALM
Lee Qualm, Chair