

Minutes: House State Affairs

Friday, January 23, 2026 8:00 AM

Roll Call

Present: Rep. Bahmuller, Rep. Emery, Rep. Gosch, Rep. Hansen, Rep. Healy,
Rep. Heinemann, Rep. Jamison, Rep. Lems, Rep. Reisch, Rep. Schaeffbauer,
Rep. Soye, Rep. Overweg, and Rep. Odenbach

The meeting was called to order by Representative Odenbach

HJR 5001 : proposing and submitting to the voters at the next general election an amendment to the Constitution of the State of South Dakota, prohibiting the transfer of private property to a non-governmental entity for the sole purpose of economic development or increased tax revenue.

Presented by: Representative Spencer Gosch

Proponents: Amanda Radke, Self
Sara Steever, Self
Michael Boyle, Self
Melissa McCauley, Dakota Rural Action
Jasper Diegel, South Dakota Stockgrowers Association
Representative John Sjaarda
Representative Heather Baxter
Emily Amin, Pacific Legal Foundation

Opponents: Nathan Sanderson, South Dakota Retailers Association
Lindsey Riter-Rapp, South Dakota Association of Rural Water Systems
Darla Pollman Rogers, South Dakota Rural Electric Association
Brett Koenecke, South Dakota Electric Utility Companies
Ryan Budmayr, South Dakota Chamber of Commerce & Industry
Ellie J. Bailey, South Dakota Telecommunications Association
Justin G. Smith, Greater Sioux Falls Chamber of Commerce
Michael Karbo, American Petroleum Institute

MOTION: AMEND HJR 5001

HJR5001A

On page 1, line 4, of the Introduced resolution, after "the" delete " sole"

On page 1, line 15, of the Introduced resolution, after "entity" delete " solely"

On page 1, line 17, of the Introduced resolution, after "use" delete ", purpose, or utility"

Moved by: Overweg

Second by: Schaeffbauer

Action: Prevailed by voice vote

MOTION: AMEND HJR 5001

HJR5001B

On page 1, line 4, of the Introduced resolution, after "revenue" insert " and requiring a declaration of necessity"

On page 1, line 12, of the Introduced resolution, after "without" insert " a public declaration by the condemnor, establishing the necessity for taking or damaging the property, and"

Moved by: Overweg
Second by: Schaeffbauer
Action: Prevailed by voice vote

MOTION: DO PASS HJR 5001 AS AMENDED

Moved by: Lems
Second by: Hansen
Action: Prevailed by Majority Members Elect (10-3-0-0)

Voting Yes: Bahmuller, Emery, Gosch, Hansen, Heinemann, Lems, Schaeffbauer, Soye, Overweg, and Odenbach

Voting No: Healy, Jamison, and Reisch

HB 1090 : require publication of notices of gubernatorial appointments and reappointments.

Presented by: Representative Mary Fitzgerald
Proponents: Justin G. Smith, Greater Sioux Falls Chamber of Commerce
Opponents: Katie Hruska, Governor's Office

MOTION: DO PASS HB 1090

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

MOTION: SUBSTITUTE MOTION: DEFER HB 1090 TO THE 41ST LEGISLATIVE DAY

Moved by: Emery
Second by: Healy
Action: Prevailed by Majority Members Elect (10-3-0-0)

Voting Yes: Bahmuller, Emery, Gosch, Healy, Heinemann, Jamison, Reisch, Soye, Overweg, and Odenbach

Voting No: Hansen, Lems, and Schaeffbauer

HB 1102 : reschedule the annual report filing date for a limited liability company and a limited liability partnership.

Presented by: Representative Heather Baxter
Proponents: Rob Wordeman, Self
Ryan Wordeman, Self
Cody Work, Self, Unimax LLC, WOR Development LLC
Opponents: Tom Deadrick, Secretary of State

MOTION: AMEND HB 1102

1102A

On page 1, after line 15, of the Introduced bill, insert: "

Section 2. This Act is effective beginning January 1, 2027."

Moved by: Gosch

Second by: Hansen

Action: Prevailed by voice vote

MOTION: DO PASS HB 1102 AS AMENDED

Moved by: Hansen

Second by: Gosch

Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Bahmuller, Emery, Gosch, Hansen, Healy, Heinemann, Jamison, Lems,
Reisch, Schaeffbauer, Soye, Overweg, and Odenbach

MOTION: ADJOURN

Moved by: Overweg

Second by: Gosch

Action: Prevailed by voice vote

Pam Kean, Committee Secretary

/s/ SCOTT ODENBACH
Scott Odenbach, Chair