

Committee: Senate Local Government

Wednesday, February 10, 2021 7:45 AM

Roll Call

Present: Sen. Bolin, Sen. Cammack, Sen. Diedrich, Sen. Foster, Sen. Frye-Mueller, and Sen. Klumb

Present (Remote): Sen. Herman Otten

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Herman Otten

MOTION: TO APPROVE THE MINUTES OF FRIDAY, FEBRUARY 05TH

Moved by: Bolin
Second by: Diedrich
Action: Prevailed by voice vote

SB 117 : provide for the refinancing of certain mortgages on properties affected by declared disasters.

Presented by: David Johnson, Senator

Proponents: Representative Taffy Howard
Representative Phil Jensen
John Trudo, self, Black Hawk, South Dakota
Kara Taylor, self, Black Hawk, South Dakota
Natalie Bassett, self, Black Hawk, South Dakota
Misty Little, self, Black Hawk, South Dakota
Amanda Little, self, Black Hawk, South Dakota
Marie Keller, self, Black Hawk, South Dakota
Lorin Kiehn, self, Black Hawk, South Dakota
Melissa Crouch, self, Black Hawk, South Dakota
Albert Reitz, self, Black Hawk, South Dakota
Stephany Fischer, Hide Away Hills, Black Hawk, South Dakota

Opponents: Lorraine Polak, Housing Development Authority

MOTION: DEFER SB 117 TO THE 41ST LEGISLATIVE DAY

Moved by: Cammack
Second by: Bolin
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DO PASS SB 117

Moved by: Foster
Second by: Frye-Mueller
Action: Prevailed by roll call vote (4-3-0-0)

Voting Yes: Diedrich, Foster, Frye-Mueller, and Klumb

Voting No: Bolin, Cammack, and Herman Otten

SB 140 : revise certain provisions regarding disclosures for newly constructed properties.

Presented by: David Johnson, Senator

Proponents: John Trudo, self, Black Hawk, South Dakota
Kara Taylor, self, Black Hawk, South Dakota
Patrick Ealy, self, Box Elder, South Dakota
Melissa Crouch, self, Black Hawk, South Dakota
Albert Reitz, self, Black Hawk, South Dakota
Marie Keller, self, Black Hawk, South Dakota
Stephany Fischer, Hide Away Hills, Black Hawk, South Dakota

Opponents: Tim Dougherty, South Dakota Home Builders Association, Pierre
Matt Krogman, South Dakota Association of Realtors, Pierre, South Dakota

MOTION: DEFER SB 140 TO THE 41ST LEGISLATIVE DAY

Moved by: Cammack
Second by: Bolin
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DO PASS SB 140

Moved by: Frye-Mueller
Second by: Foster
Action: Failed by roll call vote (2-5-0-0)

Voting Yes: Foster and Frye-Mueller

Voting No: Bolin, Cammack, Diedrich, Klumb, and Herman Otten

Revert to previous motion

MOTION: DEFER SB 140 TO THE 41ST LEGISLATIVE DAY

Moved by: Cammack
Second by: Bolin
Action: Prevailed by roll call vote (5-2-0-0)

Voting Yes: Bolin, Cammack, Diedrich, Klumb, and Herman Otten

Voting No: Foster and Frye-Mueller

SB 152 : authorize counties to issue off-sale liquor licenses.

Presented by: Timothy R Johns, South Dakota Senator, District 31, Lead

Proponents: Jason Wichterman, self, Deadwood, South Dakota
Nathan Sanderson, South Dakota Retailers Association, Pierre
Eric Erickson, South Dakota Association of County Commissioners, Pierre

MOTION: AMEND SB 152

On page 1, line 3, of the Introduced bill, after "Dakota:" delete "Section 1. That § 35-4-6 be AMENDED.

"

On page 1, line 4, of the Introduced bill, after "AMENDED." delete "35-4-6. "

On page 1, line 4, of the Introduced bill, after "35-4-6. " delete "Off-sale licenses--County, municipality, or improvement district."

On page 1, line 4, of the Introduced bill, after "district." delete "

Except as provided in subdivisions 35-4-2(12) and (16), off-sale Off-sale licenses may only be issued under this chapter to operate within a county, municipality or an improvement district created pursuant to chapter 7-25A."

On page 1, after line 7, of the Introduced bill, insert "

Section 1. That § 35-4-6 be REPEALED.

35-4-6. Off-sale licensees to operate within municipality or improvement district.

"

On page 1, line 17, of the Introduced bill, delete " subdivisions 35-4-2(3) and 35-4-2(12)" and insert " subdivision 35-4-2(3)"

Moved by: Cammack

Second by: Bolin

Action: Prevailed by voice vote

MOTION: AMEND SB 152

152C

On the previously adopted amendment (152B), On page 2, line 1, after "thereof. " insert "No county off-sale license may be issued for a retailer located within three miles of the exterior boundary of an incorporated municipality. "

Moved by: Bolin

Second by: Diedrich

Action: Prevailed by voice vote

MOTION: DO PASS SB 152 AS AMENDED

Moved by: Foster

Second by: Frye-Mueller

Action: Prevailed by roll call vote (6-1-0-0)

Voting Yes: Bolin, Cammack, Diedrich, Foster, Frye-Mueller, and Klumb

Voting No: Herman Otten

THE CHAIR DEFERRED SB 161 UNTIL WEDNESDAY, FEBRUARY 17TH 2021

MOTION: ADJOURN

Moved by: Klumb

Second by: Diedrich

Action: Prevailed by voice vote

Mary Kirk, Committee Secretary

/s/ HERMAN OTTEN
Herman Otten, Chair