

Committee: House Commerce and Energy

Wednesday, February 17, 2021 10:00 AM

Roll Call

Present: Rep. Anderson, Rep. Bordeaux, Rep. Ladner, Rep. Perry, Rep. Reed,
Rep. Schneider, Rep. Vasgaard, Rep. Weis, Rep. Weisgram, Rep. Willadsen,
Rep. Beal, and Rep. Milstead

Present (Remote): Rep. Bartels

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Milstead

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 10TH

Moved by: Beal
Second by: Perry
Action: Prevailed by Unanimous Consent

HB 1203 : authorize banks to engage in business with industrial hemp or marijuana licensees and associated persons.

Presented by: Representative Hugh Bartels

Proponents: Karlton Adam, The South Dakota Bankers Association, Pierre
Nathan Sanderson, South Dakota Retailers Association, Pierre
Yvonne Taylor, South Dakota Municipal League, Fort Pierre
Dean Krogman, Independent Community of Bankers of South Dakota,
Watertown

MOTION: AMEND HB 1203

1203C

On page 1, line 6, of the Introduced bill, after "authorized" delete "--Promulgation of rules"

On page 1, line 9, of the Introduced bill, after "in " insert "legal "

On page 1, line 10, of the Introduced bill, after "licensee." delete " The commission shall promulgate rules, pursuant to chapter 1-26, to facilitate a bank carrying on the business of banking with a person described in this section."

Moved by: Anderson
Second by: Beal
Action: Prevailed by roll call vote (13-0-0-0)

Voting Yes: Anderson, Bartels, Bordeaux, Ladner, Perry, Reed, Schneider, Vasgaard,
Weis, Weisgram, Willadsen, Beal, and Milstead

MOTION: DO PASS HB 1203 AS AMENDED

Moved by: Perry
Second by: Schneider
Action: Prevailed by roll call vote (13-0-0-0)

Voting Yes: Anderson, Bartels, Bordeaux, Ladner, Perry, Reed, Schneider, Vasgaard,
Weis, Weisgram, Willadsen, Beal, and Milstead

MOTION: DEFER HB 1141 UNTIL MONDAY, FEBRUARY 22ND, 2021

Moved by: Beal
 Second by: Perry
 Action: Prevailed by Unanimous Consent

HB 1088 : revise certain provisions regarding disclosures for newly constructed properties.

Presented by: Senator David Johnson
 Opponents: Tim Dougherty, South Dakota Home Builders Association, Pierre

MOTION: DEFER HB 1088 TO THE 41ST LEGISLATIVE DAY

Moved by: Perry
 Second by: Reed
 Action: Prevailed by roll call vote (10-3-0-0)

Voting Yes: Anderson, Bartels, Ladner, Perry, Reed, Schneider, Vasgaard, Weisgram, Willadsen, and Beal

Voting No: Bordeaux, Weis, and Milstead

HB 1258 : revise certain provisions regarding cosmetology apprentice programs.

Presented by: Representative Carl Perry
 Proponents: Fallon Helm, self, Aberdeen
 Ashley Veen, self, Watertown
 Kate Boyd, Cosmetology Commission

MOTION: AMEND HB 1258

1258A

On page 1, after line 2, of the Introduced bill, insert "

Section 1. That § 36-15-2.3 be AMENDED.

36-15-2.3. Application for esthetics examination--Information required.

Any person desiring to practice esthetics in this state as an esthetician shall apply to the commission to take the esthetics examination. The application shall:

- (1) Contain the information required by § 36-15-15;
- (2) Contain proof that the applicant is enrolled in or has completed the required hours of education, as established by rules pursuant to § 36-15-13, or equivalent credit hours in an approved and licensed cosmetology or esthetics school or in lieu of such education, is enrolled or has successfully completed a course of apprenticeship in a licensed cosmetology or esthetics salon as provided for in this chapter; and
- (3) Be accompanied by the fee required in this chapter.

"

On page 2, line 4, of the Introduced bill, delete "two thousand one hundred fifty " and insert "fifteen hundred "

On page 2, line 6, of the Introduced bill, delete "nine" and insert " six "

On page 2, line 8, of the Introduced bill, delete "nine " and insert "four "

On page 2, line 10, of the Introduced bill, delete " salon" and insert ", esthetics,"

On page 2, line 20, of the Introduced bill, delete " salon " and insert ", esthetics, "

On page 2, after line 24, of the Introduced bill, insert "

Section 6. That § 36-15-50 be AMENDED.

36-15-50. Temporary license issued on completion of apprenticeship--Duration of license.

Any person who successfully completes the term of apprenticeship pursuant to this chapter may apply to the commission for a temporary license which will authorize the applicant to perform all the practices of a regularly licensed cosmetologist, esthetician, or nail technician, as applicable. The temporary license application shall be accompanied with:

- (1) Evidence satisfactory to the commission that the applicant possesses the qualifications required pursuant to § 36-15-15;
- (2) Evidence satisfactory to the commission that the apprenticeship period has been completed;
- (3) The fee for a temporary license as provided in this chapter; and
- (4) The application and fee for the cosmetologist or nail technician examination, as applicable.

A temporary license issued by the commission is valid until the date of the next scheduled examination in cosmetology, esthetics, or nail technology, as applicable. If the holder of a temporary license takes the applicable examination at that time, the commission shall extend the temporary license until the result of the examination is mailed to the person. If a person is not excused from the examination by the commission or fails the examination, the temporary license is invalid and may not be extended or reissued.

"

Moved by: Willadsen
 Second by: Reed
 Action: Prevailed by roll call vote (12-0-1-0)

Voting Yes: Anderson, Bartels, Bordeaux, Perry, Reed, Schneider, Vasgaard, Weis, Weisgram, Willadsen, Beal, and Milstead

Excused: Ladner

MOTION: DO PASS HB 1258 AS AMENDED

Moved by: Reed
 Second by: Beal
 Action: Prevailed by roll call vote (12-0-1-0)

Voting Yes: Anderson, Bartels, Bordeaux, Perry, Reed, Schneider, Vasgaard, Weis, Weisgram, Willadsen, Beal, and Milstead

Excused: Ladner

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1258 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1091 : provide provisions for virtual currency in this state.

Presented by: Representative Tom Pischke
 Proponents: Trent Pool, Blockchain Center Foundation, New York City
 Nick Spanos, Blockchain Center Foundation, New York City

Opponents: Angela Angelovska-Wilson, DLxLaw, self, WashingtonD.C.
Brock Pierce, Bit Coin Foundation, self, New York City
Bret Afdahl, Director of Division of Banking, Pierre, South Dakota
Brett Koenecke, South Dakota Bankers Association, Pierre
Terra Fisher-Larson, South Dakota Trust Association, Rapid City

MOTION: DEFER HB 1091 TO THE 41ST LEGISLATIVE DAY

Moved by: Reed
Second by: Willadsen
Action: Prevailed by roll call vote (9-2-2-0)

Voting Yes: Anderson, Bartels, Perry, Reed, Schneider, Weisgram, Willadsen, Beal, and Milstead

Voting No: Bordeaux and Weis

Excused: Ladner and Vasgaard

MOTION: ADJOURN

Moved by: Perry
Second by: Beal
Action: Prevailed by Unanimous Consent

Jean Denton, Committee Secretary

/s/ RHONDA MILSTEAD
Rhonda Milstead, Chair