

Committee: House Local Government

Tuesday, February 23, 2021 10:00 AM

Roll Call

Present: Rep. Barthel, Rep. Cwach, Rep. Drury, Rep. Lana Greenfield, Rep. Hoffman, Rep. Chris Johnson, Rep. Mortenson, Rep. Olson, Rep. Reed, Rep. Thomason, Rep. Weisgram, Rep. Jamison, and Rep. York

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative York

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 18TH

Moved by: Hoffman
Second by: Drury
Action: Prevailed by voice vote

HB 1138 : revise provisions regarding the issuance of state park camping permits.

Presented by: Representative Taffy Howard
Proponents: Representative Rhonda Milstead
Representative Phil Jensen
Norman Woods, self, Rapid City
Verla Kaufman, self, Rapid City
Alan Temple, self, Rapid City
Opponents: Scott Simpson, Department of Game, Fish and Parks
Lorin D Pankratz, Visitor Industry Alliance, Pierre

MOTION: AMEND HB 1138

1138B

On page 1, line 11, of the Introduced bill, delete "a resident " and insert "residents "
On page 1, line 11, of the Introduced bill, delete " twice the amount of time" and insert " a fourteen day period"

On page 1, line 12, of the Introduced bill, delete " that it gives a nonresident" and insert " prior to giving nonresidents an opportunity to acquire a camping permit"

Moved by: Hoffman
Second by: Chris Johnson
Action: Prevailed by voice vote

MOTION: DO PASS HB 1138 AS AMENDED

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

Voting Yes: Barthel, Drury, Lana Greenfield, Hoffman, Chris Johnson, Olson, Thomason, Weisgram, Jamison, and York

Voting No: Cwach and Mortenson

Excused: Reed

HB 1201 : authorize a local vote to prohibit the placement of video lottery machines in a municipality or county.

Presented by: Representative John Mills

Proponents: Chris Motz, South Dakota Catholic Conference, Sioux Falls
Yvonne Taylor, South Dakota Municipal League, Fort Pierre
Norman Woods, Family Heritage Alliance Action, Rapid City
Jon Meyers, self, Waverly, South Dakota
D. Lee Gabel, Codington County Commission, Watertown
Matt Waltz, Keystone Treatment Center

Opponents: Mark Quasney, Bureau of Finance and Management
Robert C. Riter, Music and Vending Association of South Dakota, Pierre
Matt Krogman, SD Licensed Beverage Dealer & Gaming Assoc., Rapid City
Nathan Sanderson, South Dakota Retailers Association, Pierre
Drew Duncan, Commonwealth Gaming & Holdings, Sioux Falls

Others: Norm Lingle, South Dakota Lottery

MOTION: DEFER HB 1201 TO THE 41ST LEGISLATIVE DAY

Moved by: Weisgram

Second by: Lana Greenfield

Action: Prevailed by roll call vote (11-2-0-0)

Voting Yes: Barthel, Cwach, Drury, Lana Greenfield, Mortenson, Olson, Reed, Thomason, Weisgram, Jamison, and York

Voting No: Hoffman and Chris Johnson

HB 1121 : establish criteria governing the sale of homemade food items.

Presented by: Representative Marli Wiese

Proponents: Don Hagggar, Americans For Prosperity, Arlington
Meagan Forbes, Institute for Justice, Arlington
Heidi Kolbeck-Urlacher, self, Brandon

Opponents: Nathan Sanderson, South Dakota Retailers Association, Pierre
Yvonne Taylor, South Dakota Municipal League, Fort Pierre
Rebecca M. Terk, Dakota Rural Action, Rapid City

MOTION: AMEND HB 1121

1121E

On page 2, line 18, of the Introduced bill, delete "including a nonalcoholic" and insert " excluding unpasteurized milk and an alcoholic"

On page 3, line 34, of the Introduced bill, after "slides." delete "Section 5. That § 34-18-34 be AMENDED.

"

On page 4, line 1, of the Introduced bill, after "AMENDED." delete "34-18-34. "

On page 4, line 1, of the Introduced bill, after "34-18-34. " delete "Farmer's market fresh fruits and vegetables--Licensure exemption."

On page 4, line 2, of the Introduced bill, after "exemption." delete "

No person selling whole, intact fresh fruits or vegetables at a farmer's market, roadside stand, or similar venue is required to be licensed pursuant to this chapter."

On page 4, line 5, of the Introduced bill, after "chapter." delete "Section 6. That § 34-18-36 be AMENDED.

"

On page 4, line 6, of the Introduced bill, after "AMENDED." delete "34-18-36. "

On page 4, line 6, of the Introduced bill, after "34-18-36. " delete "Canned good requirements-- Verification."

On page 4, line 6, of the Introduced bill, after "requirements--Verification." delete "

No canned good may be sold unless the pH level is 4. 6 or less or the water activity level is . 85 or less. A third-party processing authority with knowledge of the thermal processing required of food in hermetically-sealed containers shall verify the method of processing and that the pH or water activity threshold levels are met. The processing authority shall provide any such verification in writing."

On page 5, line 30, of the Introduced bill, after "(d); " delete "and"

On page 5, line 31, of the Introduced bill, after "and

(6)" insert "The homemade food item is not an egg or an egg food product, as defined in § 39-11-1; and

(7) "

Moved by: Hoffman

Second by: Mortenson

Action: Prevailed by voice vote

The Chair announced the committee would be in recess and reconvene 15 minutes after the House adjournment in Room 414.

Rep York reconvened the House Local Government Committee at 5:53

MOTION: DEFER HB 1121 TO THE 41ST LEGISLATIVE DAY

Moved by: Barthel

Second by: Weisgram

Action: Prevailed by roll call vote (10-3-0-0)

Voting Yes: Barthel, Cwach, Drury, Mortenson, Olson, Reed, Thomason, Weisgram, Jamison, and York

Voting No: Lana Greenfield, Hoffman, and Chris Johnson

HB 1133 : reduce fees for annual state park licenses for South Dakota residents.

Presented by: Representative Phil Jensen

Opponents: Scott Simpson, Department of Game, Fish and Parks

MOTION: DEFER HB 1133 TO THE 41ST LEGISLATIVE DAY

Moved by: Reed

Second by: Thomason

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

Voting Yes: Barthel, Cwach, Drury, Lana Greenfield, Hoffman, Mortenson, Olson, Reed, Thomason, Weisgram, Jamison, and York

Voting No: Chris Johnson

MOTION: DEFER SCR 603, AND SB 168 UNTIL TUESDAY, MARCH 02ND, 2021

Moved by: Reed
Second by: Chris Johnson
Action: Prevailed by voice vote

MOTION: ADJOURN

Moved by: Chris Johnson
Second by: Olson
Action: Prevailed by voice vote

Jean Denton, Committee Secretary

/s/ NANCY YORK
Nancy York, Chair