

Committee: House Commerce and Energy

Wednesday, January 26, 2022 10:00 AM

Roll Call

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

Present (Remote): Rep. Bordeaux and Rep. Beal

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Milstead

MOTION: TO APPROVE THE MINUTES OF MONDAY, JANUARY 24TH

Moved by: Perry

Second by: Reed

Action: Prevailed by voice vote

HB 1061 : codify an advisory committee for the appraisal certification program.

Presented by: Representative Linda Duba, District 15

Others: Amy Frink, South Dakota Appraiser Advisory Council, Aberdeen

MOTION: AMEND HB 1061

1061E

On the previously adopted amendment (1061A), On page 1, line 1, delete " board" and insert " council"

On the previously adopted amendment (1061A), On page 1, line 6, delete " board" and insert " council"

On the previously adopted amendment (1061A), On page 1, line 10, delete " board" and insert " council"

On the previously adopted amendment (1061A), On page 1, line 10, delete " ten" and insert " eleven"

On the previously adopted amendment (1061A), On page 1, line 11, delete "One representative" and insert " Director"

On the previously adopted amendment (1061A), On page 1, line 12, delete "One representative" and insert " Executive Director"

On the previously adopted amendment (1061A), On page 1, line 16, delete "Five" and insert " Six"

On the previously adopted amendment (1061A), On page 1, line 16, after "state" insert ":

(a) One state-licensed appraiser located anywhere in the state;

(b) Two state-certified residential appraisers, one located in eastern South Dakota and one located in western South Dakota;

(c) Two state-certified general appraisers, one located in eastern South Dakota and one located in western South Dakota; and

(d) One institutional staff appraiser"

On the previously adopted amendment (1061A), On page 1, line 18, delete " board" and insert " council"

On the previously adopted amendment (1061A), On page 1, line 18, after "years" insert ", except that the those who are members as licensed or certified appraisers that are initially appointed shall serve a term of two years"

On the previously adopted amendment (1061A), On page 1, line 18, delete " board" and insert " council"

- On the previously adopted amendment (1061A), On page 1, line 20, delete " board shall appoint a person to fill the unexpired term" and insert " council will recommend to the secretary of the Department of Labor and Regulation a person to fill the unexpired term"
- On the previously adopted amendment (1061A), On page 1, line 21, after "term." insert " Term limits do not apply to the director of the Banking Division or the Executive Director of the South Dakota Real Estate Commission. These members represent a department staff position."
- On the previously adopted amendment (1061A), On page 1, line 22, delete " board" and insert " council"
- On the previously adopted amendment (1061A), On page 1, line 24, delete " board" and insert " council"
- On the previously adopted amendment (1061A), On page 2, line 1, delete " board" and insert " council"
- On the previously adopted amendment (1061A), On page 2, line 1, after "member" insert ", except the members representing a department staff position,"
- On the previously adopted amendment (1061A), On page 2, line 1, after "travel" delete " and"
- On the previously adopted amendment (1061A), On page 2, line 1, delete " expense" and insert ", and per diem"
- On the previously adopted amendment (1061A), On page 2, line 2, delete "In addition, per diem at rates established by the board " and insert "Eligible members "
- On the previously adopted amendment (1061A), On page 2, line 3, after "paid" delete " each member"
- On the previously adopted amendment (1061A), On page 2, line 4, delete " board" and insert " council"
- On the previously adopted amendment (1061A), On page 2, line 6, delete " board" and insert " State Board of Finance"

On the previously adopted amendment (1061A), On page 2, after line 6, insert: "

Section 3. That chapter 36-21B be amended with a NEW SECTION:

To be eligible to serve as a council member, a candidate for the appraiser, real estate broker, or mortgage broker position must hold an applicable license, certificate, or credential in good standing in this state. To be considered in good standing, the candidate must not have been subject to any disciplinary action that affects legal eligibility to engage in appraisal practice, real estate brokerage, or mortgage brokerage for three years after successful completion of any sanctions imposed. Examples of sanctions that affect a licensee's eligibility to practice are suspension, revocation or voluntary surrender.

On the previously adopted amendment (1061A), On page 2, after line 6, insert: "

Section 4. That chapter 36-21B be amended with a NEW SECTION:

If an appraiser, real estate broker, or mortgage broker member of the council is subject to any disciplinary action that affects legal eligibility to engage in appraisal practice, real estate brokerage, or mortgage brokerage, the council shall recommend that the secretary of the Department of Labor and Regulation remove the member.

Moved by: Reed
 Second by: Bartels
 Action: Prevailed by Majority Members Elect (13-0-0-0)

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

MOTION: AMEND HB 1061

1061F

On amendment (1061E),
 On page 2, line 2, after "that" insert " three of"
 Moved by: Reed

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

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

MOTION: AMEND HB 1061

1061G

On amendment (1061F),
On page 2, line 2, after "of" delete " the"
Moved by: Reed
Second by: Perry
Action: Prevailed by Majority Members Elect (13-0-0-0)

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

MOTION: DO PASS HB 1061 AS AMENDED

Moved by: Perry
Second by: Ladner
Action: Prevailed by Majority Members Elect (13-0-0-0)

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

HB 1093 : increase the annual fee for certain electric motor vehicles.

Presented by: Representative Mark Willadsen, District 11 (Handout(s) 1)
Proponents: Dawna Leitzke, South Dakota Petroleum & Propane Marketers Association, Pierre
David Owen, South Dakota Chamber of Commerce & Industry, Pierre
Eric Erickson, South Dakota Association of County Commissioners, PIERRE
Deb Mortenson, Associated General Contractors of South Dakota, Pierre
Opponents: Jim Terwilliger, Secretary, Department of Revenue
Chase Jensen, Dakota Rural Action, Brookings
Matthew McCaulley, Alliance for Automotive Innovation, Washington
(Handout(s) 2)
Rick Bell, self, Rapid City

MOTION: DEFER HB 1093 TO THE 41ST LEGISLATIVE DAY

Moved by: Weis
Second by: Vasgaard
Action: Prevailed by Majority Members Elect (12-1-0-0)

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

Voting No: Willadsen

HB 1102 : reduce the exempt commercial policyholder aggregate premium requirement.

Presented by: Representative Mark Willadsen, District 11

Proponents: Doug Abraham, American Property Casualty Insurance Association, Chicago, IL
Craig Matson, South Dakota Insurance Alliance, Sioux Falls

MOTION: DO PASS HB 1102

Moved by: Perry

Second by: Weisgram

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

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

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1102 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 36 : require financial security for the decommissioning of solar facilities.

Presented by: Kristie Fiegen, Commissioner, Public Utilities Commission

MOTION: DO PASS SB 36

Moved by: Willadsen

Second by: Weis

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

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

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 36 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 47 : revise certain provisions regarding money transmission.

Presented by: Bret Afdahl, Department of Labor and Regulation, Division of Banking

MOTION: DO PASS SB 47

Moved by: Bartels

Second by: Perry

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

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

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 47 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Beal
Second by: Perry
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

Jean Denton, Committee Secretary

/s/ RHONDA MILSTEAD
Rhonda Milstead, Chair