

Committee: House Commerce and Energy

Wednesday, February 16, 2022 10:00 AM

Roll Call

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

Excused: Rep. Bordeaux, Rep. Reed, and Rep. Weisgram

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Milstead

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 14TH

Moved by: Beal

Second by: Perry

Action: Prevailed by voice vote

HB 1322 : provide for the direct sale of certain home-produced or home-processed foods and food products.

Presented by: Representative Marli Wiese, District 8

Others: Nathan Sanderson, South Dakota Retailers Association, Pierre

MOTION: AMEND HB 1322

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On page 1, line 14, of the Introduced bill, after "goods" insert " prepared at a residence"

On page 1, line 15, of the Introduced bill, after "product" insert " prepared at a residence and"

On page 1, line 15, of the Introduced bill, delete "4 " and insert "3 "

On page 1, line 16, of the Introduced bill, after "Act." delete "Section 2. That chapter 34-18 be amended with a NEW SECTION:

"

On page 1, line 17, of the Introduced bill, after "SECTION:" delete "A person selling food or any food product, as authorized in § 34-18-35, shall register with the department and submit an annual fee in the amount of fifteen dollars. The department shall forward any fees collected under this section to the state treasurer for deposit in the general fund.

The department shall promulgate rules in accordance with chapter 1-26, to provide for an annual registration process."

On page 2, line 5, of the Introduced bill, delete "and may not cost more than one hundred" and insert

On page 2, line 6, of the Introduced bill, after "hundred" delete "dollars"

On page 3, line 5, of the Introduced bill, delete "4 " and insert "3 "

On page 3, line 13, of the Introduced bill, remove the overstrikes from "primary "

On page 3, line 13, of the Introduced bill, after "residence" insert ", in accordance with § 34-18-35, "

On page 3, line 15, of the Introduced bill, remove the overstrikes from "(1) The non-temperature-controlled baked goods meet "

On page 3, line 15, of the Introduced bill, delete "non-temperature-controlled baked goods meet " and insert "food meets "

On page 3, line 15, of the Introduced bill, remove the overstrikes from "the requirements of § 34-18-37;"

On page 3, line 17, of the Introduced bill, remove the overstrikes from "(2) The non-temperature-controlled baked goods are "

On page 3, line 17, of the Introduced bill, delete "non-temperature-controlled baked goods are " and insert "food is "

On page 3, line 17, of the Introduced bill, remove the overstrikes from "sold in the seller's physical presence at:"

On page 3, line 19, of the Introduced bill, remove the overstrikes from "(a) The seller's primary residence;"

On page 3, line 20, of the Introduced bill, remove the overstrikes from "(b) A farmer's market;"

On page 3, line 21, of the Introduced bill, remove the overstrikes from "(c) A roadside stand; or"

On page 3, line 22, of the Introduced bill, remove the overstrikes from "(d) Other temporary sale venue; and"

On page 3, line 23, of the Introduced bill, remove the overstrikes from "(3) The seller, or a person residing at the seller's primary residence, personally delivers the non-temperature-controlled baked goods "

On page 3, line 24, of the Introduced bill, delete "non-temperature-controlled baked goods " and insert "food "

On page 3, line 24, of the Introduced bill, remove the overstrikes from "to the buyer at the completion of the sale"

On page 3, line 26, of the Introduced bill, after "sale" delete "(1) The food is sold at the seller's primary residence;

(2) The food is sold at a farmer's market;

(3) The food is sold at a roadside stand;

(4) The food is sold at any other temporary sale venue;

(5) The food is sold by the producer directly to the buyer;"

On page 3, line 31, of the Introduced bill, after "buyer;" delete "(6) The food is sold to the buyer and thereafter delivered to the buyer by mail or other delivery service; or

(7) The food is non-temperature controlled, advertised on a website that contains the labeling information required by § 34-18-37, sold online, and delivered to the buyer by mail or other delivery service"

Moved by: Beal

Second by: Weis

Action: Prevailed by voice vote

MOTION: DO PASS HB 1322 AS AMENDED

Moved by: Beal

Second by: Weis

Action: Prevailed by Majority Members Elect (10-0-3-0)

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

Excused: Bordeaux, Reed, and Weisgram

SB 171 : prohibit insurance policies from restricting the method of payment for dental care.

Presented by: Representative Paul Miskimins, District 20

Proponents: Paul Knecht, South Dakota Dental Association, Pierre

MOTION: DO PASS SB 171

Moved by: Bartels

Second by: Ladner

Action: Prevailed by Majority Members Elect (10-0-3-0)

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

Excused: Bordeaux, Reed, and Weisgram

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 171 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 160 : exempt motor vehicle service contracts from the insurance code.

Presented by: Senator David Wheeler, District 22

Proponents: Dennis Duncan, Motor Vehicle Protection Products Association, Tallahassee, FL
Doug Abraham, American Property Casualty Insurance Association, Chicago, IL
Myron L Rau, South Dakota Auto Dealers Association, Sioux Falls

MOTION: DO PASS SB 160

Moved by: Anderson

Second by: Bartels

Action: Prevailed by Majority Members Elect (10-0-3-0)

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

Excused: Bordeaux, Reed, and Weisgram

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 160 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Perry

Second by: Weis

Action: Prevailed by voice vote

Jean Denton, Committee Secretary

/s/ RHONDA MILSTEAD
Rhonda Milstead, Chair