

Committee: Senate Commerce and Energy

Tuesday, February 21, 2023 10:00 AM

Roll Call

Present: Sen. Crabtree, Sen. Brent "B.R." Hoffman, Sen. Steve Kolbeck, Sen. Nesiba, Sen. Schoenbeck, Sen. Stalzer, Sen. Zikmund, Sen. Beal, and Sen. Wheeler

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Wheeler

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 16TH

Moved by: Beal
Second by: Steve Kolbeck
Action: Prevailed by voice vote

SB 209 : authorize sports wagering in certain licensed alcoholic beverage retailer establishments.

MOTION: TO TABLE SB 209

Moved by: Beal
Second by: Schoenbeck
Action: Prevailed by Majority Members Elect (9-0-0-0)

Voting Yes: Crabtree, Brent "B.R." Hoffman, Steve Kolbeck, Nesiba, Schoenbeck, Stalzer, Zikmund, Beal, and Wheeler

HB 1109 : modify the occupation tax for business improvement districts.

Presented by: Representative Becky J. Drury
Proponents: Yvonne Taylor, South Dakota Municipal League, Fort Pierre
Jasper Diegel, SD Hotel & Lodging Association, Pierre
Justin G. Smith, South Dakota Visitor Industry Alliance, Pierre
Eric Erickson, Lloyd Companies Inc., Sioux Falls
Brook Kaufman, Visit Rapid City
Mary Arlington, SDCOA, Pierre
Roger Tellinghuisen, Deadwood Historic Preservation
Craig Alan Matson, Deadwood Lead Economic Development Corporation
Patrick Brian Dame, City of Rapid City, Rapid City (Handout(s) #1)
Wade Lampert, Best Western Ramkota, Rapid City
Laura Schoen Carbonneau, Brookings Convention & Visitors Bureau dba Visit Brookings, Brookings
Mistie Caldwell, Visit Spearfish Inc., Spearfish
Gavin Fawbush, Birchlake Hospitality, Madison
Opponents: Derek Johnson, Bureau of Finance and Management
Others: Senator Tim Reed (Handout(s) #2)

MOTION: DO PASS HB 1109

Moved by: Schoenbeck
Second by: Zikmund

Action: Prevailed by Majority Members Elect (6-3-0-0)

Voting Yes: Steve Kolbeck, Nesiba, Schoenbeck, Stalzer, Zikmund, and Wheeler

Voting No: Crabtree, Brent "B.R." Hoffman, and Beal

HB 1145 : revise the order of precedence for the right to control the disposition of the remains of a deceased person.

Presented by: Senator Jim Mehlhaff

MOTION: DO PASS HB 1145

Moved by: Schoenbeck

Second by: Crabtree

Action: Prevailed by Majority Members Elect (8-0-1-0)

Voting Yes: Crabtree, Brent "B.R." Hoffman, Steve Kolbeck, Nesiba, Schoenbeck, Stalzer, Beal, and Wheeler

Excused: Zikmund

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1145 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1184 : revise provisions related to the One-Call Notification Board.

Presented by: Senator Steve Kolbeck

Proponents: Brett Koenecke, South Dakota One Call Notification Board, Rapid City
Kristie Fiegen, Public Utilities Commission

MOTION: DO PASS HB 1184

Moved by: Brent "B.R." Hoffman

Second by: Schoenbeck

Action: Prevailed by Majority Members Elect (9-0-0-0)

Voting Yes: Crabtree, Brent "B.R." Hoffman, Steve Kolbeck, Nesiba, Schoenbeck, Stalzer, Zikmund, Beal, and Wheeler

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1184 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 178 : create provisions for the protection of warehouse distribution center employees.

Presented by: Senator Casey Crabtree

Proponents: T.J. Nelson, Independent Newspaper Association of South Dakota, Sioux Falls
(Handout(s) #3)
Matthew McCaulley, Independent Newspaper Association of South Dakota,
Sioux Falls (Handout(s) #4)

Jonathan Ellis, self, Sioux Falls
 Troy McQuillen, self, Aberdeen
 Yvonne Taylor, South Dakota Municipal League, Fort Pierre
 Representative Greg Jamison
 Joe Sneve, self, Sioux Falls
 Opponents: Justin G. Smith, South Dakota Newspaper Association, Brookings (Handout(s)
 #5)
 David Bordewyk, South Dakota Newspaper Association, Brookings
 Kristi Hine, self, Wessington Springs

MOTION: AMEND SB 178

178D

On amendment (178C),
 On page 2, line 11, after "four" insert " and files the affidavit with the secretary of state"
 On page 2, line 12, delete "the state of South Dakota" and insert "each county for which the
 newspaper will act as a legal newspaper"
 On page 2, line 18, after "and " insert "the requirement to publicize and submit a sworn statement of
 ownership under "
 Moved by: Schoenbeck
 Second by: Stalzer
 Action: Prevailed by voice vote

MOTION: DO PASS SB 178 AS AMENDED

Moved by: Schoenbeck
 Second by: Crabtree
 Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER SB 178 TO THE 41ST LEGISLATIVE DAY

Moved by: Steve Kolbeck
 Second by: Nesiba
 Action: Prevailed by Majority Members Elect (5-4-0-0)

Voting Yes: Steve Kolbeck, Nesiba, Stalzer, Zikmund, and Beal

Voting No: Crabtree, Brent "B.R." Hoffman, Schoenbeck, and Wheeler

MOTION: ADJOURN

Moved by: Steve Kolbeck
 Second by: Beal
 Action: Prevailed by voice vote

Susan Gullickson, Committee Secretary

 /s/ DAVID WHEELER
 David Wheeler, Chair