

Committee: Senate Commerce and Energy

Thursday, February 23, 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 TUESDAY, FEBRUARY 21<sup>ST</sup>**

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

**HB 1239 : prohibit a ban of gas services and appliances used by consumers.**

Presented by: Representative Ben Krohmer  
Proponents: Brett Koenecke, South Dakota Electric Utility Companies, Pierre  
Doug Abraham, South Dakota Retailers Association, Pierre  
Kristie Fiegen, Public Utilities Commission  
Dawna Leitzke, South Dakota Petroleum and Propane Marketers Association, Pierre  
Deb Mortenson, Associated General Contractors of South Dakota, Pierre  
Pamela A. Bonrud, NorthWestern Energy, Sioux Falls  
Debra Owen, Greater Sioux Falls Chamber of Commerce, Sioux Falls  
Christine Vinatieri-Erickson, South Dakota Auto Dealers Association, Sioux Falls  
Christine Vinateri-Erickson, South Dakota Trucking Association, Sioux Falls  
T.J. Nelson, TC Energy, Wetonka  
Lisa Nolen, Americans For Prosperity, Sioux Falls  
Kristie Brunick, South Dakota Association of Plumbing-Heating-Cooling Contractors, Sioux Falls

**MOTION: AMEND HB 1239**

1239E

On page 1, line 4, of the House Commerce and Energy Engrossed bill, after "SECTION:  
No " delete "state law, regulation, or executive order and no "  
On page 1, line 6, of the House Commerce and Energy Engrossed bill, after "state." insert " This  
section does not apply to a generally applicable zoning ordinance, building regulation,  
or fire code if the ordinance, regulation, or code is not used to prohibit the use,  
production, manufacture, or transport of fuel gas or fuel gas appliances within the  
state.  
For the purposes of section 1 and 2 of this Act, the term, fuel gas, means natural gas or propane."  
On page 1, line 8, of the House Commerce and Energy Engrossed bill, after "SECTION:  
No " delete "state law, regulation, or executive order and no "  
On page 1, line 9, of the House Commerce and Energy Engrossed bill, after "state." insert " This  
section does not apply to a generally applicable zoning ordinance, building regulation,  
or fire if the ordinance, regulation, or code is not used to prohibit a fuel gas utility  
service within the state."

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

**MOTION: DEFER HB 1239 UNTIL THURSDAY, MARCH 02<sup>ND</sup>, 2023**

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

**HB 1185 : prohibit certain restrictions in employment contracts.**

Presented by: Senator Erin Tobin  
Proponents: Rachel Oglesby, Governor's Office  
Jill Janecke, self, Pierre  
Jenny Larson, self, Mobridge

**MOTION: DO PASS HB 1185**

Moved by: Crabtree  
Second by: Stalzer  
Action: Prevailed by Majority Members Elect (8-1-0-0)

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

Voting No: Schoenbeck

**HB 1108 : revise provisions related to abandoned mobile or manufactured homes.**

Presented by: Representative Mike Weisgram  
Senator Larry P. Zikmund

**MOTION: AMEND HB 1108**

1108B

On page 2, line 17, of the House Local Government Engrossed bill, after "property" insert " obtains a title to a mobile home or manufactured home pursuant to § 21-54-17 and"

On page 2, line 19, of the House Local Government Engrossed bill, after "disposal" insert ", the county treasurer shall issue the permit provided by § 32-5-16. 3 without receiving payment of the current year's taxes"

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

**MOTION: DO PASS HB 1108 AS AMENDED**

Moved by: Steve Kolbeck  
Second by: Beal  
Action: Prevailed by Majority Members Elect (8-0-1-0)

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

Excused: Schoenbeck

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1108 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**MOTION: ADJOURN**

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

Susan Gullickson, Committee Secretary

\_\_\_\_\_  
/s/ DAVID WHEELER  
David Wheeler, Chair