

Committee: Senate Commerce and Energy

Thursday, January 25, 2024 10:00 AM

Roll Call

Present: Sen. Crabtree, Sen. Hoffman, Sen. Johnson, Sen. Kolbeck (Steve),
Sen. Nesiba, Sen. Schoenbeck, Sen. Stalzer, 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, JANUARY 23RD

Moved by: Nesiba
Second by: Beal
Action: Prevailed by voice vote

SB 81 : expand permission on installing electric wiring in a residence.

Presented by: Senator Herman Otten

MOTION: AMEND SB 81

81A

On page 1, line 5, of the Introduced bill, after "including" delete " no more than two"

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

MOTION: DO PASS SB 81 AS AMENDED

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

Voting Yes: Crabtree, Hoffman, Johnson, Kolbeck (Steve), Nesiba, Schoenbeck, Stalzer,
Beal, and Wheeler

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 81 AS UNCONTESTED
AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 94 : amend provisions pertaining to the partners in education tax credit
program, and declare an emergency.**

Presented by: Senator Lee Schoenbeck
Opponents: Douglas R. Wermedal, Associated School Boards of South Dakota, Pierre

MOTION: AMEND SB 94

94A

On page 1, line 2, of the Introduced bill, after "program" delete ", and declare an emergency"

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

On page 5, line 5, of the Introduced bill, delete " April" and insert " July"

On page 5, line 8, of the Introduced bill, delete " June 30" and insert " July 1"

On page 5, line 10, of the Introduced bill, after "year." delete "Section 7. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

Moved by: Hoffman

Second by: Stalzer

Action: Prevailed by voice vote

MOTION: DO PASS SB 94 AS AMENDED

Moved by: Stalzer

Second by: Beal

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

Voting Yes: Crabtree, Hoffman, Johnson, Kolbeck (Steve), Schoenbeck, Stalzer, Beal, and Wheeler

Voting No: Nesiba

SB 86 : allow a municipality to issue additional convention off-sale liquor licenses to hotel-motel convention facilities.

Presented by: Senator Ryan Maher

Proponents: Roger A. Tellinghuisen, B.Y. Development Inc, Rapid City
Nathan Sanderson, South Dakota Retailers Association, Pierre

Opponents: Matt Krogman, SD Licensed Beverage Dealer & Gaming Assoc., Rapid City

MOTION: AMEND SB 86

86B

On page 1, line 1, of the Introduced bill, after "municipality" insert " authorized"

On page 1, line 1, of the Introduced bill, after "to" insert " allow legal games of chance to"

On page 1, line 1, of the Introduced bill, after "additional" delete " convention"

On page 1, line 4, of the Introduced bill, after "Dakota:" delete "Section 1. That § 35-4-2 be
AMENDED:

"

On page 1, line 5, of the Introduced bill, after "AMENDED:" delete "35-4-2. The classes of licenses, with the fee of each class, are as follows:

- (1) Repealed by SL 2018, ch 223, § 13;
- (2) Wholesalers of alcoholic beverages--five thousand dollars;
- (3) Off-sale--not less than three hundred dollars. The renewal fee for the license may not exceed five hundred dollars;
- (4) On-sale--not less than one dollar for each person residing within the municipality as measured by the last preceding federal census. The renewal fee for the license may not exceed fifteen hundred dollars;
- (5) Off-sale licenses issued to municipalities under local option--not less than two hundred fifty dollars;
- (6) On-sale licenses issued outside municipalities--not less than the amount the nearest municipality to the applicant is charging for a like license. The renewal fee shall be the same as is charged for a like license in the nearest municipality. If the municipality to which the applicant is nearest holds an on-sale license, pursuant to § 35-3-13 and does not charge a specified fee, then the fee shall be the minimum amount that could be

charged as if the municipality had not been authorized to obtain on-sale licenses pursuant to § 35-3-13. The renewal fee shall be the same as could be charged for a like license in the nearest municipality;

- (7) Repealed by SL 2018, ch 213, § 46;
- (8) Transportation companies--twenty-five dollars;
- (9) Carrier--one hundred dollars. The fee licenses all conveyances the licensee operates in this state;
- (10) Repealed by SL 2018, ch 213, § 46;
- (11) On-sale dealers at publicly operated airports--two hundred fifty dollars;
- (12) Wine and cider retailers, being both package dealers and on-sale dealers--five hundred dollars;
- (13) Convention facility on-sale--not less than one dollar for each person residing within the municipality as measured by the last preceding federal census. The renewal fee for the license may not exceed fifteen hundred dollars;
- (14) Repealed by SL 2018, ch 224, § 11;
- (15) Wholesalers of malt beverages--four hundred dollars;
- (16) Malt beverage and wine produced by a farm winery licensee, being both package dealers and on-sale dealers--three hundred dollars;
- (17) Repealed by SL 2018, ch 213, § 46;
- (17A) Repealed by SL 2018, ch 213, § 46;
- (18) Repealed by SL 2018, ch 213, § 46;
- (19) Repealed by SL 2018, ch 213, § 46 and ch 222, § 11;
- (20) Repealed by SL 2018, ch 213, § 46;
- (21) Retail on premises manufacturer--two hundred fifty dollars;
- (22) Repealed by SL 2018, ch 223, § 13; and
- (23) Off-sale delivery--one hundred fifty dollars; and
- (24) Convention facility off-sale issued pursuant to § 35-4-11. 11--not less than three hundred dollars. The renewal fee for the license may not exceed five hundred dollars."

On page 2, line 26, of the Introduced bill, after "additional" delete " convention facility"

On page 2, line 26, of the Introduced bill, after "licenses" insert " to hotel-motel convention facilities"

Moved by: Nesiba

Second by: Kolbeck (Steve)

Action: Prevailed by voice vote

MOTION: DO PASS SB 86 AS AMENDED

Moved by: Kolbeck (Steve)

Second by: Schoenbeck

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

Voting Yes: Crabtree, Hoffman, Johnson, Kolbeck (Steve), Nesiba, Schoenbeck, Stalzer, and Wheeler

Voting No: Beal

HB 1074 : expand eligibility to practice as a dental hygienist under the collaborative supervision of a dentist.

Presented by: Representative Mike Weisgram

Proponents: Senator Erin Tobin

Mike Mueller, Delta Dental of South Dakota, Pierre

Paul H Knecht, South Dakota Dental Association, Pierre

Jenna R. Severyn, South Dakota Dental Hygienists' Association, RAPID CITY

Jennifer Stalley, Community Healthcare Association of the Dakotas, Sioux Falls

MOTION: DO PASS HB 1074

Moved by: Crabtree

Second by: Beal

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

Voting Yes: Crabtree, Hoffman, Johnson, Kolbeck (Steve), Nesiba, Schoenbeck, Stalzer, Beal, and Wheeler

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1074 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Crabtree

Second by: Beal

Action: Prevailed by voice vote

Susan Gullickson, Committee Secretary

/s/ DAVID WHEELER
David Wheeler, Chair