

Committee: Senate Commerce and Energy

Thursday, February 01, 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 30TH

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

SB 165 : create the South Dakota-Ireland Trade Commission and make an appropriation therefor.

Presented by: Senator Ryan Maher
Proponents: Mark Daly, Senate Chair of Ireland, Dublin, Ireland (Handout(s) 1)
Opponents: Yolanda Sung, Bureau of Finance and Management

MOTION: DO PASS SB 165

Moved by: Schoenbeck
Second by: Beal
Action: Prevailed by Majority Members Elect (7-1-1-0)

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

Voting No: Hoffman

Excused: Crabtree

HB 1095 : establish provisions for the operation of automated motor vehicles.

Presented by: Representative Roger Chase
Proponents: William M. Van Camp, South Dakota Retailers Association, Pierre (Handout(s) 2)
Trevor Johnson, South Dakota Auto Dealers Association, Sioux Falls
Trevor Johnson, South Dakota Trucking Association, Sioux Falls
Sam Nelson, South Dakota Municipal League, Canton
T.J. Nelson, Alliance for Automotive Innovation, WA
Mitch Rave, Greater Sioux Falls Chamber of Commerce, Sioux Falls
Nathan Sanderson, South Dakota Retailers Association, Pierre
Opponents: Kory Rawstern, SD State Federation of Labor AFL-CIO, Sioux Falls
Hannah Alstead, Teamsters Joint Local 32, Minneapolis, MN
Bryan Lindquist, Teamsters 120, Pierre, SD

MOTION: DO PASS HB 1095

Moved by: Schoenbeck
Second by: Stalzer
Action: Prevailed by Majority Members Elect (7-1-1-0)

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

Voting No: Johnson

Excused: Nesiba

SB 177 : prohibit a circuit court judge or Supreme Court justice from being appointed as a member of the Public Utilities Commission.

Presented by: Senator Lee Schoenbeck
Proponents: Steve Willard, South Dakota Electric Utility Companies, Pierre
Matthew McCaulley, TC Energy, Wetonka, Canada
Opponents: Chris Nelson, Commissioner - PUC, Pierre

MOTION: AMEND SB 177

177A

On page 1, line 1, of the Introduced bill, delete "prohibit" and insert "permit the appointment of"
On page 1, line 1, of the Introduced bill, after "justice" delete " from being appointed"
On page 1, line 2, of the Introduced bill, after "Commission" insert " in place of a disqualified or incapacitated commissioner"

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

MOTION: AMEND SB 177

177C

On page 1, line 15, of the Introduced bill, remove the overstrikes from " an elected constitutional officer, other than the attorney general,"

On page 1, line 16, of the Introduced bill, after "general," insert " or"

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

MOTION: AMEND SB 177

177B

On page 1, line 1, of the Introduced bill, delete "prohibit" and insert "permit the appointment of"
On page 1, line 1, of the Introduced bill, delete " or" and insert a comma
On page 1, line 1, of the Introduced bill, delete " from being appointed" and insert ", or retired commissioner"
On page 1, line 2, of the Introduced bill, after "Commission" insert " in place of a disqualified or incapacitated commissioner in certain proceedings"

On page 1, line 15, of the Introduced bill, remove the overstrikes from " an elected constitutional officer, other than the attorney general,"

On page 1, line 16, of the Introduced bill, after "general," delete " a retired circuit judge or Supreme Court justice"

On page 1, line 18, of the Introduced bill, after "only" insert " .

If the recusal is for a proceeding requiring a party to pay the costs of processing the application under §§ 49-41B, 49-1A-8, or 49-16A-100. 7, the Governor shall appoint an elected constitutional officer, other than the attorney general, a South Dakota retired circuit judge, a retired South Dakota Supreme Court justice, or a retired South Dakota public utilities commissioner in the place of the disqualified or incapacitated commissioner for the purpose of such hearing or proceeding only.

If a retired circuit judge, Supreme Court justice, or public utilities commissioner is appointed, their compensation may not exceed the current hourly compensation for a sitting judge, justice, or commissioner plus expenses. Such compensation shall be part of the proceeding costs paid by the applicant or other party responsible for costs.

For proceedings that have a maximum fee, any compensation arising under this statute does not count against the maximum fee"

Moved by: Nesiba

Action: Died for lack of a second

MOTION: DO PASS SB 177 AS AMENDED

Moved by: Kolbeck (Steve)

Second by: Crabtree

Action: Prevailed by Majority Members Elect (7-2-0-0)

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

Voting No: Hoffman and Nesiba

SB 132 : increase the state minimum wage.

Presented by: Senator Reynold Nesiba

Proponents: Sister Lynn Marie Welbig, Presentation Sisters of Aberdeen, Aberdeen
Kory Rawstern, SD State Federation of Labor AFL-CIO, Sioux Falls

Opponents: Derek Johnson, Bureau of Finance and Management
Nathan Sanderson, South Dakota Retailers Association, Pierre
Debra Owen, South Dakota Chamber of Commerce & Industry, Pierre
Jason Alan Glodt, National Federation of Independent Business (Washington DC), WA
Mitch Rave, Greater Sioux Falls Chamber of Commerce, Sioux Falls

MOTION: DEFER SB 132 TO THE 41ST LEGISLATIVE DAY

Moved by: Hoffman

Second by: Stalzer

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

MOTION: ADJOURN

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

Susan Gullickson, Committee Secretary

/s/ DAVID WHEELER
David Wheeler, Chair