

Committee: Senate Commerce and Energy

Tuesday, February 13, 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 THURSDAY, FEBRUARY 08<sup>TH</sup>**

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

**SB 114 : create a presumption of workers' compensation coverage for occupational cancer for firefighters.**

Presented by: Senator David Johnson

Proponents: Brian Povandra, Rapid City Fire Department, Rapid City, SD (Handout(s) 1)  
Jerome Harvey, Pennington Co Fire Department, Rapid City, SD  
Steve Willard, South Dakota Joint Fire Council, Rapid City  
Maynard Konechne, South Dakota Emergency Medical Services Assoc., Sioux Falls

Opponents: Jeremy Volla, Whispering Pines Valley Fire Department, Rapid City, SD  
Doug Abraham, American Property Casualty Insurance Association, Chicago, IL (Handout(s) 2,3)  
Doug Abraham, South Dakota Municipal League, Fort Pierre  
Doug Abraham, South Dakota Retailers Association, Pierre  
Frank Marnell, Department of Labor and Regulation  
Brad Wilson, Insurance Benefits Inc, SIOUX FALLS  
Justin G. Smith, Sioux Falls Area Chamber of Commerce, Sioux Falls  
Mike Chrysler, Independent Insurance Agents of South Dakota, Fort Pierre (Handout(s) 4)  
David Reiss, South Dakota Municipal League, Fort Pierre

**MOTION: AMEND SB 114**

114A

On page 1, line 8, of the Introduced bill, delete " two" and insert " five"  
On page 1, line 9, of the Introduced bill, delete " two" and insert " five"  
On page 2, after line 3, of the Introduced bill, insert: "

**Section 3. That a NEW SECTION be added to chapter 62-8:**

Prior to employment, a firefighter must have a medical examination that would reasonably have screened for cancer for a firefighter to be eligible for the benefits provided under this Act."

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

**MOTION: AMEND SB 114**

114B

On page 1, line 8, of the Introduced bill, delete " two" and insert " five"

On page 1, line 9, of the Introduced bill, delete " two" and insert " five"

On page 2, after line 3, of the Introduced bill, insert: "

**Section 3. That a NEW SECTION be added to chapter 62-8:**

Prior to employment or service, a firefighter must have a medical examination that would reasonably have screened for cancer for a firefighter to be eligible for the benefits provided under this Act."

Moved by: Nesiba

Second by: Johnson

Action: Failed by voice vote

**MOTION: DEFER SB 114 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Kolbeck (Steve)

Second by: Schoenbeck

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

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

Voting No: Johnson and Nesiba

**SB 207 : increase oversight of pool arrangements.**

Presented by: Senator Brent "B.R." Hoffman

Proponents: Craig Matson, South Dakota CPA Society, Sioux Falls

Opponents: Yvonne Taylor, South Dakota Municipal League, Fort Pierre  
Richard Tieszen, Associated School Boards of South Dakota, Pierre  
Kris Jacobson, SD Counties, Pierre

**MOTION: AMEND SB 207**

207A

On page 2, line 25, of the Introduced bill, delete " on or before March thirty-first" and insert  
", within six months of the preceding year,"

Moved by: Nesiba

Second by: Kolbeck (Steve)

Action: Prevailed by voice vote

**MOTION: DEFER SB 207 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Crabtree

Second by: Schoenbeck

Action: Was not acted on.

**MOTION: SUBSTITUTE MOTION: DO PASS SB 207**

Moved by: Nesiba

Second by: Hoffman

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

Voting Yes: Hoffman, Nesiba, and Beal

Voting No: Crabtree, Johnson, Kolbeck (Steve), Schoenbeck, Stalzer, and Wheeler

**Revert to previous motion**

**MOTION: DEFER SB 207 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Crabtree

Second by: Schoenbeck

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

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

Voting No: Hoffman, Nesiba, and Beal

**HB 1091 : enact the Interstate Insurance Product Regulation Commission.**

Presented by: Senator Steve Kolbeck

Proponents: Justin G. Smith, American Council of Life Insurers, WA

Larry Deiter, Department of Labor and Regulation

Richard Tieszen, State Farm Insurance, Bloomington, IN

Samuel J. Nelson, American International Group, Inc., Seattle, WA

**MOTION: DO PASS HB 1091**

Moved by: Schoenbeck

Second by: Crabtree

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 1091 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 193 : permit fees to be prorated for alcoholic licenses.**

Presented by: Senator Michael Rohl

**MOTION: TO TABLE SB 193**

Moved by: Beal

Second by: Schoenbeck

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

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

**MOTION:    ADJOURN**

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

Susan Gullickson, Committee Secretary

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/s/ DAVID WHEELER  
David Wheeler, Chair