

Minutes: House Commerce and Energy

Monday, January 27, 2025 10:00 AM

Roll Call

Present: Rep. Aylward, Rep. Duffy, Rep. Greenfield, Rep. Kayser, Rep. Mulally, Rep. Nolz, Rep. Peterson (Drew), Rep. Schwans, Rep. Shorma, Rep. Uhre-Balk, Rep. Weisgram, Rep. Bahmuller, and Rep. Lems

The meeting was called to order by Representative Lems

MOTION: TO APPROVE THE MINUTES OF FRIDAY, JANUARY 24TH

Moved by: Mulally
Second by: Bahmuller
Action: Prevailed by voice vote

HB 1012 : clarify the status of the Statewide One-Call Notification Board as an agency administered by the Department of Public Safety and the duties of the Board.

Presented by: Robert Perry, Secretary, Department of Public Safety
Proponents: Brett Koenecke, South Dakota One Call Notification Board, Rapid City

MOTION: DO PASS HB 1012

Moved by: Weisgram
Second by: Bahmuller
Action: Prevailed by Majority Members Elect (12-1-0-0)

Voting Yes: Aylward, Duffy, Greenfield, Kayser, Nolz, Peterson (Drew), Schwans, Shorma, Uhre-Balk, Weisgram, Bahmuller, and Lems

Voting No: Mulally

HB 1013 : increase weights and measures inspection fees charged by the Department of Public Safety.

Presented by: Tyler Steen, Department of Public Safety
Proponents: Representative William Shorma
Opponents: Brenda Forman, South Dakota Association of Cooperatives, Pierre
Liz Stavick, South Dakota Agri-Business Association, Pierre
Dawna Leitzke, South Dakota Petroleum and Propane Marketers Association, Pierre
Deb Mortenson, Associated General Contractors of South Dakota, Pierre

MOTION: AMEND HB 1013

1013A

On page 1, line 10, of the Introduced bill, delete " one hundred" and insert " eighty"
On page 1, line 15, of the Introduced bill, delete " fifty" and insert " twenty-five"
On page 2, line 14, of the Introduced bill, delete " thirty-five" and insert " twenty"
On page 2, line 17, of the Introduced bill, delete " seventy-five" and insert " sixty"

On page 2, line 18, of the Introduced bill, after "hundred" delete " twenty-five"
On page 2, line 28, of the Introduced bill, delete " one hundred" and insert " eighty"
On page 3, line 9, of the Introduced bill, delete " thirty-five" and insert " ten"
On page 3, line 22, of the Introduced bill, delete " forty-five" and insert " thirty-five"
On page 3, line 23, of the Introduced bill, delete " sixty-five" and insert " fifty"
On page 3, line 25, of the Introduced bill, after "hundred" delete " forty-five"
On page 3, line 27, of the Introduced bill, delete " two hundred fifty" and insert " two hundred"

Moved by: Greenfield
Second by: Bahmuller
Action: Prevailed by voice vote

MOTION: REFER HB 1013 TO JOINT COMMITTEE ON APPROPRIATIONS AS AMENDED DO NOT PASS AS AMENDED

Moved by: Mulally
Second by: Aylward
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: REFER HB 1013 TO JOINT COMMITTEE ON APPROPRIATIONS AS AMENDED DO PASS

Moved by: Shorma
Action: Died for lack of a second

Revert to previous motion

MOTION: REFER HB 1013 TO JOINT COMMITTEE ON APPROPRIATIONS AS AMENDED DO NOT PASS AS AMENDED

Moved by: Mulally
Second by: Aylward
Action: Prevailed by roll call vote (12-1-0-0)

Voting Yes: Aylward, Duffy, Greenfield, Kayser, Mulally, Nolz, Peterson (Drew), Schwans, Uhre-Balk, Weisgram, Bahmuller, and Lems

Voting No: Shorma

HB 1048 : require that cash be accepted for certain transactions.

Presented by: Representative John Sjaarda
Proponents: Susan Luschas, Self, Brandon Soraya Luschas, Self, Brandon (Handout(s) 1,2)
Rodean Culver, Self, Sioux Falls (Handout(s) 3)
Nikki McCormick, self, Sioux Falls
Marcia Hubner, self, Avon
Opponents: Nathan Sanderson, South Dakota Retailers Association, Pierre
Justin G. Smith, Greater Sioux Falls Chamber of Commerce, Sioux Falls
Heather Forney, Board of Regents
Garth Wadsworth, Elevate Rapid City, Rapid City
Sara Rankin, South Dakota Municipal League, Fort Pierre

Brenda Forman, South Dakota Association of Cooperatives, Pierre
Heath Larson, Associated School Boards of South Dakota, Pierre
Liz Stavick, South Dakota Agri-Business Association, Pierre

MOTION: AMEND HB 1048

1048E

On page 1, line 9, of the Introduced bill, after "payment;" delete " and"
On page 1, line 11, of the Introduced bill, after "cash" insert "; and
(4) The payment is no greater than one hundred dollars"
On page 1, line 18, of the Introduced bill, after "expenses;" delete " or"
On page 1, line 19, of the Introduced bill, after "airplane" insert ";
(4) Federally chartered credit unions; or
(5) A transaction for a rental agreement of a rental car, as defined by § 58-30-197"
On page 1, line 22, of the Introduced bill, delete the semicolon and insert a colon
On page 1, line 23, of the Introduced bill, after "person;" delete " and"
On page 1, line 24, of the Introduced bill, after "cash" insert "; and
(3) The payment is no greater than one hundred dollars"
On page 2, after line 2, of the Introduced bill, insert: "

Section 4. That a NEW SECTION be added to chapter 37-24:

A person who violates the provisions of sections 1 or 3 of this Act is subject to a civil penalty, not to exceed fifty dollars per violation, imposed by the attorney general.

The attorney general shall forward any civil penalty collected under this section to the state treasurer for deposit in the general fund."

Moved by: Greenfield
Second by: Aylward
Action: Prevailed by voice vote

MOTION: DEFER HB 1048 TO THE 41ST LEGISLATIVE DAY

Moved by: Bahmuller
Second by: Nolz
Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Aylward, Duffy, Greenfield, Kayser, Mulally, Nolz, Peterson (Drew), Schwans, Shorma, Uhre-Balk, Weisgram, Bahmuller, and Lems

MOTION: ADJOURN

Moved by: Nolz
Second by: Kayser
Action: Prevailed by voice vote

Jean Denton, Committee Secretary

/s/ KARLA J. LEMS
Karla J. Lems, Chair