

Committee: Senate Commerce and Energy

Tuesday, February 18, 2020 10:00 AM

Roll Call

Present: Sen. Curd, Sen. Monroe, Sen. Novstrup, Sen. Steinhauer, Sen. Kennedy, Sen. Schoenbeck, and Sen. Stalzer

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Senator Stalzer**

**MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 13<sup>TH</sup>**

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

**MOTION: RECONSIDER SB 104**

Moved by: Schoenbeck  
Second by: Curd  
Action: Prevailed by roll call vote (7-0-0-0)

Voting Yes: Curd, Monroe, Novstrup, Steinhauer, Kennedy, Schoenbeck, and Stalzer

**MOTION: AMEND SB 104**

104A

On page 2, line 6, of the Introduced bill, delete "Entitlement to a first lien, as provided for in this section, does not extend to a contractor or subcontractor, who furnishes skill, labor, services, or materials, for the development, improvement, operation, or repair of a public highway or roadway, if the development, improvement, operation, or repair is undertaken principally for the benefit of a private entity that is not the owner of the abutting property." and insert " The owner of real property upon which a county highway or road has been constructed, improved, maintained, or repaired is not liable for the cost of the project, and no lien under chapter 44-9 may be attached to the real property as security for payment of the costs, unless the real property owner agreed in writing to pay all or a portion of the cost of the project."

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

**SB 153 : prohibit certain social media censorship.**

Presented by: Senator Jeff Monroe

**MOTION: AMEND SB 153**

153A

On page 2, line 26, of the Introduced bill, after "chapter." delete "Section 5. That a NEW SECTION be added:  
Attorney general may bring civil action on behalf of social media website user.

The Attorney General may bring a civil action under § 37-38-2 on behalf of a social media website user who resides in this state whose religious or political speech has been censored by a social media website.

"

Moved by: Kennedy  
Second by: Curd  
Action: Prevailed by voice vote

**MOTION: DEFER SB 153 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Schoenbeck  
Second by: Steinhauer  
Action: Prevailed by roll call vote (6-1-0-0)

Voting Yes: Curd, Novstrup, Steinhauer, Kennedy, Schoenbeck, and Stalzer

Voting No: Monroe

**HB 1081 : exempt from alcoholic beverage regulations certain uses of alcohol by postsecondary institutions.**

Presented by: Senator V. J. Smith  
Opponents: Representative Tim Reed  
Jim Rankin, Board of Regents  
Jill Thorngren, South Dakota State University  
Bill Gibbons, South Dakota State University  
Nathan Lukkes, Board of Regents  
Tim Dougherty, South Dakota Association of Independent Colleges  
Debra Owen, Sioux Falls Chamber of Commerce

**MOTION: AMEND HB 1081**

1081C

On page 1, line 25, of the House Education bill, delete " 0.08" and insert " 0.04"

Moved by: Novstrup  
Second by: Steinhauer  
Action: Withdrawn

**MOTION: DO PASS HB 1081**

Moved by: Kennedy  
Second by: Schoenbeck  
Action: Prevailed by roll call vote (7-0-0-0)

Voting Yes: Curd, Monroe, Novstrup, Steinhauer, Kennedy, Schoenbeck, and Stalzer

**MOTION: ADJOURN**

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

Mary Beth Fravel, Committee Secretary

---

/s/ JIM STALZER  
Jim Stalzer, Chair