

Committee: House State Affairs

Friday, February 21, 2020 7:45 AM

Roll Call

Present: Rep. Anderson, Rep. Dennert, Rep. Diedrich, Rep. Goodwin, Rep. Gosch, Rep. Hansen, Rep. Haugaard, Rep. Kevin Jensen, Rep. McCleerey, Rep. Kent Peterson, Rep. Jamie Smith, Rep. Beal, and Rep. Qualm

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Representative Qualm**

**MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 19<sup>TH</sup>**

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

**HB 1288 : review certain provisions regarding emergency management.**

Presented by: Representative Mary Duvall

**MOTION: TO TABLE HB 1288**

Moved by: Gosch  
Second by: Dennert  
Action: Prevailed by roll call vote (12-0-1-0)

Voting Yes: Anderson, Dennert, Diedrich, Gosch, Hansen, Haugaard, Kevin Jensen, McCleerey, Kent Peterson, Jamie Smith, Beal, and Qualm

Excused: Goodwin

**MOTION: DO PASS HB 1277 AS AMENDED**

Moved by: Haugaard  
Second by: Hansen  
Action: Prevailed by roll call vote (12-0-1-0)

Voting Yes: Anderson, Dennert, Diedrich, Gosch, Hansen, Haugaard, Kevin Jensen, McCleerey, Kent Peterson, Jamie Smith, Beal, and Qualm

Excused: Goodwin

**HB 1250 : increase the state's percentage of video lottery revenues, to provide for the deposit of certain excess revenues, and to repeal provisions regarding video lottery.**

Presented by: Representative John Mills (Handout(s) 1,2,3)

Proponents: Marilyn Van Zanten, self, Sioux Falls  
Matt Waltz, Keystone Treatment Centers  
Norman Woods, Family Heritage Alliance Action  
Opponents: Mark Quasney, Bureau of Finance and Management

Bob Riter, Music and Vending Association of SD  
Dick Tieszen, Associated School Boards of SD  
Matt Krogman, SD License Beverage Dealers and Gaming Association  
Bill Van Camp, SD Retailers Association

**MOTION: DO PASS HB 1250**

Moved by: Goodwin  
Second by: Hansen  
Action: Failed by roll call vote (6-5-2-0)

Voting Yes: Dennert, Goodwin, Hansen, Haugaard, Kevin Jensen, and Qualm

Voting No: Anderson, Diedrich, Gosch, Kent Peterson, and Beal

Excused: McCleerey and Jamie Smith

**THE CHAIR DEFERRED HB 1250 UNTIL LATER TODAY**

**HB 1249 : revise certain provisions regarding the operation of the South Dakota Lottery.**

Presented by: Representative John Mills  
Proponents: Matt Waltz, Keystone Treatment Centers  
Norman Woods, Family Heritage Alliance Action  
Opponents: Mark Quasney, Bureau of Finance and Management  
Larry Mann, M.G. Oil  
Bill Van Camp, SD Retailers Association  
Matt Krogman, SD License Beverage Dealers and Gaming Association

**THE CHAIR DEFERRED HB 1249 UNTIL LATER TODAY**

**Committee recessed until session adjourned**

**MOTION: DEFER HB 1250 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Anderson  
Second by: Goodwin  
Action: Prevailed by roll call vote (8-4-1-0)

Voting Yes: Anderson, Dennert, Diedrich, Goodwin, Gosch, Kent Peterson, Jamie Smith, and Beal

Voting No: Hansen, Haugaard, Kevin Jensen, and Qualm

Excused: McCleerey

**MOTION: DEFER HB 1249 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Gosch  
Second by: Beal  
Action: Prevailed by roll call vote (7-5-1-0)

Voting Yes: Anderson, Dennert, Diedrich, Gosch, Kent Peterson, Jamie Smith, and Beal

Voting No: Goodwin, Hansen, Haugaard, Kevin Jensen, and Qualm

Excused: McCleerey

**MOTION: AMEND HB 1262**

1262A

On page 2, line 10, of the Introduced bill, delete " municipality's resolution to serve is final" and insert " municipality passes the resolution to serve"

On page 2, line 12, of the Introduced bill, after "serve" insert ", and the court shall hear the matter on an expedited basis"

On page 2, line 14, of the Introduced bill, after "persons." insert " An abuse of discretion review shall be based upon consideration of the factors set forth in § 49-34A-55. Nothing in this section affects the rights and privileges under § 49-34A-52. 1."

On page 2, line 15, of the Introduced bill, after "persons." delete "Section 5. That a NEW SECTION be added:

Failure of electric utility to demand—Acceptance of formula.

If the electric utility does not demand a hearing pursuant to § 49-34A-49. 4, the electric utility shall receive compensation for the service territory previously assigned to the electric utility under the formula set forth in § 49-34A-50.

"

On page 2, line 24, of the Introduced bill, delete "and the municipality are unable to agree on compensation to the electric utility for the value of the transfer of service territory and any acquired equipment or distribution property " and insert "has not agreed to accept compensation "

On page 2, line 27, of the Introduced bill, delete " § 49-34A-52" and insert " § 49-34A-50"

Moved by: Beal

Second by: Dennert

Action: Prevailed by voice vote

**HB 1262 : revise provisions regarding electric service in annexed areas.**

Presented by: Representative David Anderson (Handout(s) 4,5)

Proponents: Darla Pollman Rogers, SD Rural Electric Association  
Tim McCarthy, Sioux Valley Energy, Colman (Handout(s) 6,7,8)  
Chris Larson, Clay-Union Electric Association  
Linda Salmonson, East River Electric Cooperative  
Ed Anderson, SD Rural Electric  
Brenda Forman, South Dakota Association of Cooperatives  
Brenda Forman, South Dakota Cattleman's Association  
Michael Held, South Dakota Farm Bureau

Opponents: Matt McCaulley, Heartland Consumer Power (Handout(s) 9)  
Casey Crabtree, Heartland Consumer Powers District  
Al Heuton, Brooking's Economic Development Corporation  
Jamison Berreth, City of Volga  
John Prescott, City of Vermillion  
Steve Lehner, Watertown Municipal Utilities  
Jacob Meshke, City of Brookings  
Larry Nelson, Missouri River Energy Services  
Larry Nelson, SD Municipal Electric Association  
Drew Duncun, Heartland Consumer Power Districts, Sioux Falls, SD

**MOTION: DO PASS HB 1262 AS AMENDED**

Moved by: Gosch  
Second by: Beal  
Action: Prevailed by roll call vote (8-4-1-0)

Voting Yes: Anderson, Dennert, Gosch, Haugaard, Kevin Jensen, Jamie Smith, Beal, and Qualm

Voting No: Diedrich, Goodwin, Hansen, and Kent Peterson

Excused: McCleerey

**THE CHAIR DEFERRED HB 1261 UNTIL MONDAY, FEBRUARY 24<sup>TH</sup> 2020**

**THE CHAIR DEFERRED HB 1221 UNTIL WEDNESDAY, FEBRUARY 26<sup>TH</sup> 2020**

**MOTION: ADJOURN**

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

Pam Kean, Committee Secretary

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/s/ LEE QUALM  
Lee Qualm, Chair