Roll Call

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Stalzer

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 20TH
Moved by: Curd
Second by: Kennedy
Action: Prevailed by voice vote

SB 151: define critical infrastructure and revise certain crimes for the trespass or damage to critical infrastructure.

Presented by: Senator Jim Stalzer
Proponents: Brett Koenecke, South Dakota Electric Utilities, Pierre
            Kevin Kouba, Otter Tail Power Company
            Chris Studer, East River Electric
            Greg Dean, South Dakota Telecommunications Associates
            William Van Camp, Pierre, AT&T
            Drew Duncan, Sioux Falls, Verizon
            Mark Winegar, Sierra Club

MOTION: AMEND SB 151

On page 3, line 14, of the Introduced bill, after "forbidden" insert ", or any pole or tower used for any of the purposes in this subdivision, whether enclosed or marked with a sign or not"
On page 3, line 23, of the Introduced bill, after "gas" delete ". The term does not include gas transmission pipeline property that is not completely enclosed, posted, and maintained by the natural gas utility"
On page 3, line 32, of the Introduced bill, delete "Natural resources exploration, mining, or production equipment, refined product storage, or distribution facility" and insert "Oil and gas locations, facilities, and equipment, including temporary drilling rigs, permanent oil and gas product facilities, and artificial lift equipment"
On page 3, line 34, of the Introduced bill, delete "including a central operation office, cable head end, cable node, cellular telephone tower site, or a transmission facility for a federally licensed radio or television antenna system" and insert "infrastructure or equipment involved in the carriage of essential communications services for both wired and wireless communications, switching, routing, repeater/amplifier equipment or other electronic equipment, macro and micro wireless towers using federally licensed spectrum, video head end equipment, and satellite communications receiver or transmission equipment"
On page 9, line 27, of the Introduced bill, after "supply;
(c) Gas" insert "service"
On page 9, line 28, of the Introduced bill, delete "Power" and insert "Electric service"
On page 9, line 28, of the Introduced bill, after "Gas;
(d) Power;" insert "or"
On page 9, line 29, of the Introduced bill, after "service;" delete " or"
On page 9, line 30, of the Introduced bill, after "or" delete "(f) Critical infrastructure facility; or
(3) Interferes with, inhibits, impedes, or prevents the construction, maintenance, or repair of communications, public transportation, a utility service, or a critical infrastructure facility;"

On page 10, line 5, of the Introduced bill, after "felony." insert "Any person who by any means interferes with, inhibits, impedes, or prevents the construction, operation, maintenance, or repair of communications, public transportation, water supply, gas, electric, or other utility service, or a critical infrastructure facility is guilty of a Class 1 misdemeanor.
Any person who by any means, knowingly, interferes with, inhibits, impedes, or prevents the construction, operation, maintenance, or repair of communications, public transportation, water supply, gas, electric, or other utility service, or a critical infrastructure facility is guilty of a Class 6 felony."

On page 10, line 6, of the Introduced bill, after "the " insert "construction,"
On page 10, line 6, of the Introduced bill, delete " or" and insert a comma
On page 10, line 6, of the Introduced bill, after "maintenance" insert ", or repair"
On page 10, line 11, of the Introduced bill, after "22-34-28" insert ", or"
On page 10, line 11, of the Introduced bill, after "22-34-30" delete ", or 22-34-32"
On page 10, line 13, of the Introduced bill, after "23A-28C." delete "Section 6. That a NEW SECTION be added:
"
On page 10, line 14, of the Introduced bill, after "added:" delete "Conspiracy--Fines."
On page 10, line 14, of the Introduced bill, after "added: Conspiracy--Fines." delete ":
If a person, whether natural or legal, is found to be a conspirator in the violation of § 22-34-28, 22-34-30, or 22-35-5, the conspirator may be punished, in addition to other penalties, by a fine up to ten times the amount of any fine otherwise authorized under § 22-3-8."

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

MOTION: AMEND SB 151

On page 3, line 12, of the Introduced bill, delete "or" and insert "and"
Moved by: Stalzer
Second by: Monroe
Action: Prevailed by voice vote

MOTION: DO PASS SB 151 AS AMENDED

Moved by: Stalzer
Second by: Novstrup
Action: Prevailed by roll call vote (5-2-0-0)

Voting Yes: Monroe, Novstrup, Steinhauer, Schoenbeck, and Stalzer
Voting No: Curd and Kennedy

HB 1109 : revise the Uniform Limited Liability Company Act.

Presented by: Representative Timothy Johns
Proponents: Brett Koenecke, South Dakota Bankers Association, Pierre

**MOTION:** DO PASS HB 1109

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

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

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1109 AS UNCONTENDED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1131: prohibit the use of misleading identification for telephonic communications.

Presented by: Senator Jessica Castleberry
Proponents: Erik Nelson, AARP SD
Charlie McGuigan, SD Office of the Attorney General

**MOTION:** DO PASS HB 1131

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

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1131 AS UNCONTENDED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 104: limit entitlement to mechanics' liens.

Presented by: Senator Gary Cammack
Proponents: Jeremiah M. Murphy, South Dakota Stock Growers Association
Deb Mortenson, Associated General Contractors of South Dakota
Brett Koenecke, South Dakota Electric Utilities, Pierre

Opponents: Tim Dougherty, self, Sioux Falls

**MOTION:** DO PASS SB 104 AS AMENDED

Moved by: Kennedy
Second by: Schoenbeck
Action: Prevailed by roll call vote (4-3-0-0)

Voting Yes: Curd, Steinhauer, Kennedy, and Schoenbeck

Voting No: Monroe, Novstrup, and Stalzer
MOTION:  ADJOURN

Moved by:  Steinhauer
Second by: Monroe
Action:  Prevailed by voice vote

Mary Beth Fravel, Committee Secretary

/s/ JIM STALZER
Jim Stalzer, Chair