

Committee: House Commerce and Energy

Wednesday, March 04, 2020 10:00 AM

Roll Call

Present: Rep. Beal, Rep. Chris Johnson, Rep. Milstead, Rep. Miskimins, Rep. Perry, Rep. Wangsness, Rep. Weis, Rep. Willadsen, Rep. Zikmund, Rep. McCleerey, Rep. Sullivan, Rep. Gosch, and Rep. Rounds

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Rounds

MOTION: TO APPROVE THE MINUTES OF MONDAY, MARCH 02ND

Moved by: Perry
Second by: Miskimins
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: Representative Kirk Chaffee
Brett Koenecke, South Dakota Electric Utilities, Pierre
Kevin Kouba, Otter Tail Power Company
Drew Duncan, Apex Clean Energy
Bill Van Camp, AT & T
Bill Van Camp, Nextera Energy Sources
Greg Dean, South Dakota Telecommunications Associates
Tyler Hamman, Basin Electric Power Cooperative
Opponents: Bruce Ellison, self, Rapid City, SD
Mark Winegar, Sierra Club
Rebecca Terk, Dakota Rural Action

MOTION: AMEND SB 151

151E

On page 9, line 22, of the Senate bill, remove the overstrikes from "or"
On page 9, line 28, of the Senate bill, after "service;" delete " or"
On page 9, line 29, of the Senate bill, after "or
(e)" insert "Critical infrastructure facility; or
(f) "
On page 9, line 30, of the Senate bill, after "felony" insert " and, if such damage or tampering causes physical injury to another person, is guilty of a Class 4 felony"

Moved by: Milstead
Second by: Wangsness
Action: Prevailed by voice vote

MOTION: DO PASS SB 151

Moved by: Willadsen
Second by: Gosch
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: AMEND SB 151

151G

On page 3, line 10, of the Senate bill, delete "(10)" and insert "(9A)"
On page 4, line 13, of the Senate bill, delete "(11)" and insert "(10)"
On page 4, line 17, of the Senate bill, remove the overstrikes from "(11)"
On page 4, line 17, of the Senate bill, after "harm;
(11)" delete "(12)"
On page 4, line 25, of the Senate bill, remove the overstrikes from "(12)"
On page 4, line 25, of the Senate bill, after "value;
(12)" delete "(13)"
On page 4, line 27, of the Senate bill, remove the overstrikes from "(13)"
On page 4, line 27, of the Senate bill, after "it;
(13)" delete "(14)"
On page 5, line 6, of the Senate bill, remove the overstrikes from "(14)"
On page 5, line 6, of the Senate bill, after "purposes;
(14)" delete "(15)"
On page 5, line 10, of the Senate bill, remove the overstrikes from "(15)"
On page 5, line 10, of the Senate bill, after "34-37-5;
(15)" delete "(16)"
On page 5, line 13, of the Senate bill, remove the overstrikes from "(16)"
On page 5, line 13, of the Senate bill, after "investment;
(16)" delete "(17)"
On page 5, line 17, of the Senate bill, remove the overstrikes from "(17)"
On page 5, line 17, of the Senate bill, after "cartridges;
(17)" delete "(18)"
On page 5, line 20, of the Senate bill, remove the overstrikes from "(18)"
On page 5, line 20, of the Senate bill, after "weapon;
(18)" delete "(19)"
On page 5, line 24, of the Senate bill, remove the overstrikes from "(19)"
On page 5, line 24, of the Senate bill, after "foregoing;
(19)" delete "(20)"
On page 5, line 25, of the Senate bill, remove the overstrikes from "(20)"
On page 5, line 25, of the Senate bill, after "victim;
(20)" delete "(21)"
On page 5, line 29, of the Senate bill, remove the overstrikes from "(21)"
On page 5, line 29, of the Senate bill, after "behavior;
(21)" delete "(22)"
On page 5, line 32, of the Senate bill, remove the overstrikes from "(22)"
On page 5, line 32, of the Senate bill, after "defect;
(22)" delete "(23)"
On page 6, line 4, of the Senate bill, remove the overstrikes from "(2"
On page 6, line 4, of the Senate bill, remove the overstrikes from "3)"
On page 6, line 4, of the Senate bill, after "probation;
(23)" delete "(24)"
On page 6, line 7, of the Senate bill, remove the overstrikes from "(24)"
On page 6, line 7, of the Senate bill, after "device;
(24)" delete "(25)"
On page 6, line 12, of the Senate bill, remove the overstrikes from "(25)"
On page 6, line 12, of the Senate bill, after "conduct;
(25)" delete "(26)"
On page 6, line 15, of the Senate bill, remove the overstrikes from "(26)"
On page 6, line 15, of the Senate bill, after "general;
(26)" delete "(27)"
On page 6, line 18, of the Senate bill, remove the overstrikes from "(27)"
On page 6, line 18, of the Senate bill, after "power;

(27)" delete "(28)"
On page 6, line 22, of the Senate bill, remove the overstrikes from "(28)"
On page 6, line 22, of the Senate bill, after "thereof;
(28)" delete "(29)"
On page 6, line 28, of the Senate bill, remove the overstrikes from "(29)"
On page 6, line 28, of the Senate bill, after "present;
(29)" delete "(30)"
On page 6, line 30, of the Senate bill, remove the overstrikes from "(30)"
On page 6, line 30, of the Senate bill, after "law ;
(30)" delete "(31)"
On page 6, line 33, of the Senate bill, remove the overstrikes from "(31)"
On page 6, line 33, of the Senate bill, after "money;
(31)" delete "(32)"
On page 7, line 4, of the Senate bill, remove the overstrikes from "(32)"
On page 7, line 4, of the Senate bill, after "corporations;
(32)" delete "(33)"
On page 7, line 6, of the Senate bill, remove the overstrikes from "(33)"
On page 7, line 6, of the Senate bill, after "explosive ;
(33)" delete "(34)"
On page 7, line 9, of the Senate bill, remove the overstrikes from "(34)"
On page 7, line 9, of the Senate bill, after "access;
(34)" delete "(35)"
On page 7, line 11, of the Senate bill, remove the overstrikes from "(35)"
On page 7, line 11, of the Senate bill, after "proceedings;
(35)" delete "(36)"
On page 7, line 17, of the Senate bill, remove the overstrikes from "(36)"
On page 7, line 17, of the Senate bill, after "obligation;
(36)" delete "(37)"
On page 7, line 25, of the Senate bill, remove the overstrikes from "(37)"
On page 7, line 25, of the Senate bill, after "agreement;
(37)" delete "(38)"
On page 7, line 27, of the Senate bill, remove the overstrikes from "(38)"
On page 7, line 27, of the Senate bill, after "officer;
(38)" delete "(39)"
On page 7, line 28, of the Senate bill, remove the overstrikes from "(39)"
On page 7, line 28, of the Senate bill, after "employee;
(39)" delete "(40)"
On page 7, line 32, of the Senate bill, remove the overstrikes from "(40)"
On page 7, line 32, of the Senate bill, after "government;
(40)" delete "(41)"
On page 7, line 34, of the Senate bill, remove the overstrikes from "(41)"
On page 7, line 34, of the Senate bill, after "subdivisions;
(41)" delete "(42)"
On page 8, line 1, of the Senate bill, remove the overstrikes from "(42)"
On page 8, line 1, of the Senate bill, after "amplified;
(42)" delete "(43)"
On page 8, line 3, of the Senate bill, remove the overstrikes from "(43)"
On page 8, line 3, of the Senate bill, after "property;
(43)" delete "(44)"
On page 8, line 8, of the Senate bill, remove the overstrikes from "(44)"
On page 8, line 8, of the Senate bill, after "property;
(44)" delete "(45)"
On page 8, line 10, of the Senate bill, remove the overstrikes from "(44A)"
On page 8, line 10, of the Senate bill, after "retail;
(44A)" delete "(46)"
On page 8, line 12, of the Senate bill, remove the overstrikes from "(45)"
On page 8, line 12, of the Senate bill, after "limb;
(45)" delete "(47)"
On page 8, line 14, of the Senate bill, remove the overstrikes from "(46)"

On page 8, line 14, of the Senate bill, after "inches;
(46)" delete "(48)"
On page 8, line 16, of the Senate bill, remove the overstrikes from "(47)"
On page 8, line 16, of the Senate bill, after "inches;
(47)" delete "(49)"
On page 8, line 18, of the Senate bill, remove the overstrikes from "(48)"
On page 8, line 18, of the Senate bill, remove the overstrikes from "Deleted by SL 2005, ch 120,
§ 357"
On page 8, line 19, of the Senate bill, remove the overstrikes from "(49)"
On page 8, line 19, of the Senate bill, after "§ 357
(49)" delete "(50)"
On page 8, line 22, of the Senate bill, remove the overstrikes from "(50)"
On page 8, line 22, of the Senate bill, after "thereof;
(50)" delete "(51)"
On page 8, line 25, of the Senate bill, remove the overstrikes from "(50A)"
On page 8, line 25, of the Senate bill, after "person;
(50A)" delete "(52)"
On page 8, line 27, of the Senate bill, remove the overstrikes from "(51)"
On page 8, line 27, of the Senate bill, after "birth;
(51)" delete "(53)"
On page 8, line 28, of the Senate bill, remove the overstrikes from "(52)"
On page 8, line 28, of the Senate bill, after "structure;
(52)" delete "(54)"
On page 8, line 30, of the Senate bill, remove the overstrikes from "(53)"
On page 8, line 30, of the Senate bill, after "place;
(53)" delete "(55)"
On page 8, line 32, of the Senate bill, remove the overstrikes from "(54)"
On page 8, line 32, of the Senate bill, after "crime;
(54)" delete "(56)"
On page 9, line 1, of the Senate bill, remove the overstrikes from "(55)"
On page 9, line 1, of the Senate bill, after "intoxication;
(55)" delete "(57)"
Moved by: Gosch
Second by: Perry
Action: Prevailed by voice vote

MOTION: DO PASS SB 151 AS AMENDED

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

Voting Yes: Beal, Chris Johnson, Milstead, Miskimins, Perry, Wangsness, Weis, Willadsen, Zikmund, McCleerey, Gosch, and Rounds

Voting No: Sullivan

SB 181 : revise provisions regarding health benefit plans.

Presented by: Representative Caleb Finck
Proponents: Randy Moses, Independent Insurance Agents
Darla Pollman Rogers, Wellmark

MOTION: DO PASS SB 181

Moved by: Perry

Second by: McCleerey
Action: Prevailed by roll call vote (13-0-0-0)

Voting Yes: Beal, Chris Johnson, Milstead, Miskimins, Perry, Wangsness, Weis, Willadsen, Zikmund, McCleerey, Sullivan, Gosch, and Rounds

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 181 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 119 : revise certain provisions regarding private placement insurance.

Presented by: Representative Michael Diedrich
Proponents: Terra Fisher, South Dakota Trust Association
Matt Tobin, Sioux Falls, South Dakota Trust Association

MOTION: DO PASS SB 119

Moved by: Willadsen
Second by: Chris Johnson
Action: Prevailed by roll call vote (12-1-0-0)

Voting Yes: Beal, Chris Johnson, Milstead, Miskimins, Perry, Wangsness, Weis, Willadsen, Zikmund, McCleerey, Gosch, and Rounds

Voting No: Sullivan

SB 140 : provide for the resolution of alleged certain disability violations.

Presented by: Representative Tim Rounds
Proponents: Jasper Diegel, South Dakota Hotel and Lodging Association
Senator Wayne Steinhauer
Justin G. Smith, Sioux Falls Chamber of Commerce
David Owen, South Dakota Chamber of Commerce and Industry
Lindsey Riter, NFIB, Pierre, SD
Bill Van Camp, South Dakota Retailers Association
Dawna Leitzke, South Dakota Petroleum and Propane Marketers Association
Opponents: Shelly Pfaff, self, Pierre, SD

MOTION: AMEND SB 140

140C

On page 2, line 2, of the Senate State Affairs bill, after "severity." insert "
For the purposes of this chapter, property includes any website owned and operated by an entity
physically located in the state."

Moved by: Willadsen
Second by: Wangsness
Action: Prevailed by voice vote

MOTION: DO PASS SB 140 AS AMENDED

Moved by: Beal
Second by: Miskimins

Action: Prevailed by roll call vote (13-0-0-0)

Voting Yes: Beal, Chris Johnson, Milstead, Miskimins, Perry, Wangsness, Weis, Willadsen, Zikmund, McCleerey, Sullivan, Gosch, and Rounds

SB 83 : establish meetings to review certain electric systems.

Presented by: Representative Tim Reed

MOTION: TO TABLE SB 83

Moved by: Willadsen

Second by: Beal

Action: Prevailed by roll call vote (9-3-1-0)

Voting Yes: Beal, Milstead, Miskimins, Perry, Wangsness, Willadsen, McCleerey, Sullivan, and Rounds

Voting No: Chris Johnson, Weis, and Gosch

Excused: Zikmund

MOTION: ADJOURN

Moved by: McCleerey

Second by: Wangsness

Action: Prevailed by roll call vote

Jean Denton, Committee Secretary

/s/ TIM ROUNDS
Tim Rounds, Chair