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STATE OF SOUTH DAKOTA

BOARD OF ECONOMIC DEVELOPMENT

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Sections 68:02:01:35, 68:02:01:36,  
68:02:01:47, 68:02:01:48,  
69:02:01:50, 68:02:01:55; and  
68:02:10:01 through 68:02:10:17,  
inclusive

ORIGINAL

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RULES HEARING

Transcript of Hearing  
September 10, 2025  
10:15 a.m.

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BEFORE THE HONORABLE CATHERINE WILLIAMSON  
ADMINISTRATIVE LAW JUDGE, OFFICE OF HEARING EXAMINERS  
AND THE SOUTH DAKOTA BOARD OF ECONOMIC DEVELOPMENT

A P P E A R A N C E S

AARON SCHEIBE  
MAY, ADAM, GERDES & THOMPSON  
503 South Pierre Street  
Pierre, South Dakota 57501

ALSO PRESENT: Jack Valentine

1                   The following Transcript of Hearing was  
2 taken at the Dolly-Reed Plaza, 711 East Wells Avenue,  
3 Pierre, South Dakota, on the 10th day of September, 2025,  
4 commencing at 10:15 a.m.; before Cheri McComsey Wittler,  
5 a Registered Professional Reporter, Certified Realtime  
6 Reporter, and Notary Public within and for the State of  
7 South Dakota.

1           CHAIRMAN ERICKSON: Ashley, if you would do a  
2 rollcall vote. And then the Hearing Examiner is  
3 Catherine Williamson and I'm going to turn it over to her  
4 and then we'll proceed with the rules hearing,  
5 continuation of the rules hearing.

6           ADMINISTRATIVE LAW JUDGE: Okay. Very good.  
7 Ashley --

8           CHAIRMAN ERICKSON: Ashley, go ahead and do a  
9 rollcall of the board members, please.

10          MS. MOORE: Matt Judson.

11          MR. JUDSON: Here.

12          MS. MOORE: Sharon Casey.

13          MS. CASEY: Yes. Here.

14          MS. MOORE: Mike Luken.

15          MR. LUKEN: Here.

16          MS. MOORE: Don Kettering.

17          MR. KETTERING: Here.

18          MS. MOORE: Tom Jones.

19          MR. JONES: Here.

20          MS. MOORE: Reed Kessler.

21          MR. KESSLER: Here.

22          MS. MOORE: Joy Nelson.

23          MS. NELSON: Here.

24          MS. MOORE: Kevin Tetzlaff.

25          MR. TETZLAFF: Here.

1 MS. MOORE: David Emery.

2 Craig Christianson.

3 MR. CHRISTIANSON: Here.

4 MS. MOORE: Brad Moore.

5 MR. MOORE: Here.

6 MS. MOORE: Jim Schmidt.

7 MR. SCHMIDT: Here.

8 MS. MOORE: Tim Reed.

9 Eric Muckey.

10 Jeff Erickson.

11 CHAIRMAN ERICKSON: Here.

12 So thank you for that, Ashley. We have a full  
13 quorum.

14 And, with that, Hearing Officer Catherine  
15 Williamson, I'm going to turn it over to you.

16 ADMINISTRATIVE LAW JUDGE: Very good. Thank  
17 you, Chairman Erickson.

18 We are on the record in this matter of the  
19 Board of Economic Development, and we are here regarding  
20 Rules 68:02. Also 68:02:10:01 through 10:17 are the two  
21 rules packets in front of us.

22 I'm going to ask a member of the finance staff,  
23 Mr. Valentine, to explain -- we'll just go to 68:02  
24 initially, if you'd like.

25 MR. SCHEIBE: And, Ms. Williamson, if I could,

1 please, this is Aaron Scheibe, again counsel to GOED  
2 staff. I just wanted to make sure on the record we do  
3 indicate this is a continued hearing from August 13 on  
4 the same rules provisions that you just mentioned.

5 ADMINISTRATIVE LAW JUDGE: Very good. Thank  
6 you, Mr. Scheibe. Yes, this is continued from August 13.  
7 It is -- what day is today? -- September 10 and it's  
8 10:15 a.m.

9 So we went over these rules in September, but,  
10 Mr. Valentine, you probably want to go over them again so  
11 I'm going to let you.

12 MR. VALENTINE: Yes, thank you. Jack Valentine,  
13 Director of Finance from the Governor's Office of  
14 Economic Development.

15 These are the rules in Chapter 68:02:01. This  
16 chapter is titled Redi Loans. This goes 68:02:01:01  
17 through 68:02:01:56.

18 These rules were posted on the rules.gov  
19 website. That site is open for comments. No comments  
20 have been received on these rules to date of this  
21 hearing.

22 Also to note there have been no phone inquiries  
23 on GOED's inquiry line nor any emails received on GOED's  
24 common area line email address regarding comments for any  
25 of these rules.

15 CHAIRMAN ERICKSON: This is Jeff Erickson. I  
16 assume you want a motion for that, the motion to accept.  
17 My motion would be to accept the changes proposed in  
18 68:02, Board of Economic Development, as outlined by Jack  
19 Valentine, would be my --

21 ADMINISTRATIVE LAW JUDGE: That's a motion and a  
22 second. Are there any comments?

25 (All indicate aye.)

1 ADMINISTRATIVE LAW JUDGE: Any opposed?

2 (No audible response.)

3 ADMINISTRATIVE LAW JUDGE: Hearing no opposed,  
4 68:02, the motion is passed.

5 Then, Mr. Valentine, we'll move on to the next  
6 agenda item.

7 MR. VALENTINE: Thank you.

8 These are the rules in Chapter 68:02 Section  
9 10:01. This is the South Dakota Jobs program section of  
10 rules. A number of proposed changes were -- or a number  
11 of changes were proposed to this chapter.

12 At this time we would ask that the board decline  
13 to proceed with the proposed changes to the rules for the  
14 South Dakota Jobs program, which is Section 68:02:10:01  
15 through 68:02:10:17.

16 ADMINISTRATIVE LAW JUDGE: Is there a motion?  
17 Or comments?

18 CHAIRMAN ERICKSON: This is Jeff Erickson. I'd  
19 make a motion again to --

20 MR. JUDSON: Judson seconds.

21 CHAIRMAN ERICKSON: -- to decline to proceed.

22 ADMINISTRATIVE LAW JUDGE: Okay. Very good.  
23 Any comments on that motion?

24 I guess we'll do a vote on that then. All those  
25 in favor say aye.

1 (All indicate aye.)

2 ADMINISTRATIVE LAW JUDGE: Is there any opposed?

3 (No audible response.)

4 ADMINISTRATIVE LAW JUDGE: Hearing and seeing  
5 none opposed, then I would like to note for the record  
6 that there's no one in the room here today here in  
7 Pierre, South Dakota, at this board meeting. There's  
8 been no public comment requested.

9 So, with that, the motion to decline is passed.

10 Are there any further rules to come before this  
11 board? I think that's it; correct?

12 MR. VALENTINE: That is it.

13 ADMINISTRATIVE LAW JUDGE: That is it. Well,  
14 very good. I'm going to let the board continue in their  
15 regular course of business, and I'll be off the record.

16 (The hearing is concluded at 10:23 a.m.)  
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1 STATE OF SOUTH DAKOTA)

2 :SS

CERTIFICATE

3 COUNTY OF SULLY )

4

5 I, CHERI MCCOMSEY WITTLER, a Registered  
6 Professional Reporter, Certified Realtime Reporter, and  
7 Notary Public in and for the State of South Dakota:

8 DO HEREBY CERTIFY that as the duly-appointed  
9 stenographic court reporter, I took the proceedings had  
10 in the above-entitled matter on the 10th day of  
11 September, 2025, and that the attached is a true and  
12 correct transcription of the proceedings so taken.

13 Dated at Onida, South Dakota this 15th day of  
14 September, 2025.

15

16

17

18 /s/ Cheri McComsey Wittler  
19 Cheri McComsey Wittler  
20 Notary Public and  
Registered Professional Reporter  
Certified Realtime Reporter

21

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