

Committee: Senate Judiciary

Thursday, January 28, 2021 8:00 AM

Roll Call

Present: Sen. Diedrich, Sen. Duhamel, Sen. Johns, Sen. Rusch, Sen. Schoenbeck, Sen. Wheeler, and Sen. Rohl

OTHERS PRESENT: See Original Minutes

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

**MOTION: TO APPROVE THE MINUTES OF TUESDAY, JANUARY 26<sup>TH</sup>**

Moved by: Johns  
Second by: Duhamel  
Action: Prevailed by voice vote

**KRISTA HEEREN-GRABER , TO THE SOUTH DAKOTA INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION**

Proponents: Jason Ravensborg, Attorney General of South Dakota

**MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE APPOINTMENT OF KRISTA HEEREN-GRABER, TO THE SOUTH DAKOTA INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION**

Moved by: Schoenbeck  
Second by: Wheeler  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Diedrich, Duhamel, Johns, Rusch, Schoenbeck, Wheeler, and Rohl

**MOTION: PLACE APPOINTMENT ON CONSENT CALENDAR**

**KIRSTEN K. AASEN OF RAPID CITY, SOUTH DAKOTA, TO THE BOARD OF PARDONS AND PAROLES**

Proponents: Jason Ravensborg, Attorney General of South Dakota  
Greg Sattizahn, State Court Administrator, United Judicial System

**MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE APPOINTMENT OF KIRSTEN K. AASEN OF RAPID CITY, SOUTH DAKOTA, TO THE BOARD OF PARDONS AND PAROLES**

Moved by: Diedrich  
Second by: Duhamel  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Diedrich, Duhamel, Johns, Rusch, Schoenbeck, Wheeler, and Rohl

**MOTION: PLACE APPOINTMENT ON CONSENT CALENDAR**

**MOTION: INTRODUCE A BILL AT THE REQUEST OF THE OFFICE OF THE GOVERNOR ENTITLED:**

**An act to reform training requirements for law enforcement officers**

Moved by: Diedrich  
Second by: Duhamel  
Action: Prevailed by voice vote

**SB 95 : provide immunity for actions assisting an impaired lawyer or judge.**

Proponents: Senator Tim Johns  
Andrew Fergel, Executive Director, South Dakota Bar Association  
Greg Sattizahn, State Court Administrator, United Judicial System  
Steve Siegel, South Dakota Trial Lawyers Association, Pierre  
Justin Bell, South Dakota Association of Criminal Defense Lawyers, Rapid City  
Others: Tim Dougherty, self

**MOTION: AMEND SB 95**

95A

On page 1, line 6, of the Introduced bill, after "ability" delete the comma  
Moved by: Wheeler  
Second by: Diedrich  
Action: Prevailed by voice vote

**MOTION: DO PASS SB 95 AS AMENDED**

Moved by: Wheeler  
Second by: Duhamel  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Diedrich, Duhamel, Johns, Rusch, Schoenbeck, Wheeler, and Rohl

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 95 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 79 : make certain uses of laser pointers unlawful.**

Proponents: Helene Duhamel, Senator  
Opponents: Justin Bell, South Dakota Association of Criminal Defense Lawyers, Rapid City

**MOTION: AMEND SB 79**

79A

On page 1, line 5, of the Introduced bill, delete "If a person knowingly " and insert "Anyone who intentionally "  
On page 1, line 5, of the Introduced bill, after "at" insert " the body of"

On page 1, line 5, of the Introduced bill, after "officer " delete "without the consent of the officer, the person "

Moved by: Duhamel  
Second by: Diedrich  
Action: Prevailed by voice vote

**MOTION: DO PASS SB 79 AS AMENDED**

Moved by: Diedrich  
Second by: Wheeler  
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Diedrich, Duhamel, Johns, Rusch, Schoenbeck, Wheeler, and Rohl

**MOTION: ADJOURN**

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

Courtney Merchant, Committee Secretary

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/s/ ARTHUR RUSCH  
Arthur Rusch, Chair