

Committee: Senate Judiciary

Thursday, February 04, 2021 8:00 AM

Roll Call

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

Present (Remote): Sen. Duhamel

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Rusch

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 02ND

Moved by: Wheeler
Second by: Rohl
Action: Prevailed by voice vote

SB 98 : limit the application of the death penalty.

MOTION: DO PASS SB 98

Moved by: Schoenbeck
Second by: Johns
Action: Prevailed by Majority Members Elect (5-1-1-0)

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

Voting No: Diedrich

Excused: Duhamel

SB 102 : protect voter registration information for certain voters.

Proponents: Senator Lee Schoenbeck
Dianna Miller, South Dakota Network Against Family Violence, Sioux Falls
Steve Barnett, Secretary of State
Rachel Oglesby, Governor's Office

MOTION: DO PASS SB 102

Moved by: Schoenbeck
Second by: Johns
Action: Prevailed by Majority Members Elect (6-0-1-0)

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

Excused: Duhamel

HB 1043 : provide enhanced permit criteria for current and former law enforcement officers.

Proponents: Senator Jim Stalzer, Sioux Falls

Jason Lutz, Deputy Secretary of State
Rob Weinmeister, Department of Public Safety

MOTION: DO PASS HB 1043

Moved by: Johns
Second by: Rohl
Action: Prevailed by Majority Members Elect (5-0-2-0)

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

Excused: Duhamel and Schoenbeck

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1043 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1046 : limit liability for certain exposures to COVID-19.

Proponents: Michael Diedrich, Senator
Nathan Sanderson, South Dakota Retailers Association, Pierre
Wade Pogany, Associated School Boards of South Dakota
Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls
David Owen, South Dakota Chamber of Commerce and Industry
Mark B Deak, South Dakota Health Care Association, Sioux Falls
Brett Koenecke, CenturyLink, SD Bankers Association, SD Electric Utility Companies, SD Evangelical Lutheran Church in America, Minneapolis

Opponents: Erik Nelson, AARP South Dakota, Associate State Director of Advocacy, Sioux Falls
Justin Hoogestraat, Self, Brookings

Others: Doug Abraham, South Dakota Association of Specialty Care Providers, RAPID CITY

MOTION: DO PASS HB 1046

Moved by: Rohl
Second by: Wheeler
Action: Prevailed by Majority Members Elect (5-0-2-0)

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

Excused: Duhamel and Schoenbeck

HB 1069 : modify the expenditures that are recoverable as disbursements by a prevailing party in a civil action or a special proceeding.

Proponents: Greg Sattizahn, State Court Administrator, United Judicial System

MOTION: DO PASS HB 1069

Moved by: Johns
Second by: Diedrich
Action: Was not acted on.

THE CHAIR DEFERRED HB 1069 UNTIL FEBRUARY 9TH, 2021

HB 1070 : revise certain provisions regarding the Unified Judicial System.

Proponents: Greg Sattizahn, State Court Administrator, United Judicial System

MOTION: DO PASS HB 1070

Moved by: Wheeler

Second by: Rohl

Action: Prevailed by Majority Members Elect (4-0-3-0)

Voting Yes: Johns, Rusch, Wheeler, and Rohl

Excused: Diedrich, Duhamel, and Schoenbeck

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1070 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1071 : correct incorrect cross-references dealing with crimes and criminal procedures and repeal an obsolete section.

Proponents: Katie Hruska, Deputy General Counsel, Governor's Office

MOTION: AMEND HB 1071

"To strike lines 18-19 on HB 1071"

Moved by: Wheeler

Second by: Johns

Action: Withdrawn

MOTION: DO PASS HB 1071

Moved by: Wheeler

Second by: Johns

Action: Prevailed by Majority Members Elect (4-0-3-0)

Voting Yes: Johns, Rusch, Wheeler, and Rohl

Excused: Diedrich, Duhamel, and Schoenbeck

SCR 602 : Supporting a United States Constitutional amendment to retain nine justices on the United States Supreme Court.

Proponents: Senator Jim Stalzer, Sioux Falls

MOTION: DO PASS SCR 602

Moved by: Wheeler

Second by: Johns

Action: Prevailed by Majority Members Elect (4-0-3-0)

Voting Yes: Johns, Rusch, Wheeler, and Rohl

Excused: Diedrich, Duhamel, and Schoenbeck

MOTION: ADJOURN

Moved by: Wheeler

Second by: Johns

Action: Prevailed by voice vote

Courtney Merchant, Committee Secretary

/s/ ARTHUR RUSCH
Arthur Rusch, Chair