2021i South Dakota Legislature

House Resolution 7001

Introduced by: ***Representative*** *Kent Peterson*

A RESOLUTION, Establishing a select committee to investigate whether articles of impeachment should issue against Jason Ravnsborg, Attorney General of the State of South Dakota, and draft any resulting articles.

WHEREAS, the Attorney General of the State of South Dakota is a state officer subject to impeachment pursuant to S.D. Const., Art. XVI, § 3; and

WHEREAS, the power of impeachment is exercisable only on certain grounds enumerated in S.D. Const., Art. XVI, § 1; and

WHEREAS, the House of Representatives has the sole power of impeachment pursuant to S.D. Const., Art. XVI, § 1; and

WHEREAS, the Senate has the sole power to try an impeachment pursuant to S.D. Const., Art. XVI, § 2:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Legislature of the State of South Dakota, convened for the Special Session on the Impeachment of Jason Ravnsborg, that the select committee shall investigate whether the conduct of Jason Ravnsborg, Attorney General of the State of South Dakota, surrounding the death of Joe Boever, involved impeachable offenses pursuant to S.D. Const., Art. XVI, § 3; and

BE IT FURTHER RESOLVED, that the select committee has the authority to administer oaths, to examine all records, to summon witnesses by request or by issuing a subpoena, and to thoroughly examine all relevant and material facts associated with the above events and conduct, and to do all other things necessary to accomplish the purpose of its hearings and deliberations. The select committee may issue a subpoena for the person, documents, or both, with the written approval of the chair, and use the procedure provided in SDCL chapter 2-4 to enforce its subpoena when the subject of the subpoena refuses to comply with the command to appear and testify before the committee; and

BE IT FURTHER RESOLVED, that the select committee shall adopt rules of procedure for its business that, where applicable, align with the provisions of Chapter 6 of the House Rules, unless the provisions plainly conflict with the nature and purpose of this committee or with applicable law;

BE IT FURTHER RESOLVED, that the select committee shall employ a special counsel, appointed by the Speaker of the House of Representatives pursuant to § 2-5-5, to serve as legal counsel to the committee and to assist the committee in carrying out its functions expressed and implied herein; and

BE IT FURTHER RESOLVED, that the Director of the Legislative Research Council is directed to provide the resources necessary to facilitate the activities of the select committee; and

BE IT FURTHER RESOLVED, that the select committee shall provide a written committee report and recommendations to the House of Representatives on whether articles of impeachment should issue and, if so, the language of the articles of impeachment and the manner in which the House should manage its impeachment case in the Senate in this matter, should the House vote to impeach; and

BE IT FURTHER RESOLVED, that the select committee shall have all authority, reasonable and necessary, to carry out the functions expressed and implied herein, under the Constitution of the State of South Dakota.