Committee: Senate Judiciary Thursday, January 20, 2022 8:00 AM

Roll Call
Present: Sen. Johns, Sen. Rohl, Sen. Wheeler, Sen. Duhamel, and Sen. Rusch
Present (Remote): Sen. Stalzer
Excused: Sen. Diedrich

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Rusch

MOTION: TO APPROVE THE MINUTES OF TUESDAY, JANUARY 18TH

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

Kirsten Jasper, South Dakota Bureau of Administration

Ms. Jasper reviewed the extraordinary fund and provided detail regarding historical, pending, and closed cases. (Handout 1)

Charlie McGuigan, Chief Deputy Attorney General, South Dakota Attorney General's Office

Mr. McGuigan spoke regarding civil litigation, criminal litigation, appellant litigation, and further detailed various ongoing cases. Additionally, he addressed the three bills the department currently has before the legislature.

SB 81 : revise the definition of sexual contact.

Presented by: Senator Helene Duhamel
Proponents: Jodi Kost, self, Rapid City
Jodi Glasgow, Criminal Investigation Division, Rapid City Sheriff's Office
Synova Nicolaisen, self, Black Hawk
Charles McGuigan, Attorney General
Jessica LaMie, self, Pierre
Jenna Schweiss, South Dakota State's Attorneys Association, Pierre
Carrie Sanderson, Board of Regents, Center for the Prevention of Child Maltreatment, Sioux Falls
Dianna Miller, South Dakota Network Against Family Violence, Sioux Falls
Opponents: Justin Bell, South Dakota Association of Criminal Defense Lawyers, Rapid City

MOTION: DO PASS SB 81

Moved by: Wheeler
Second by: Johns
Action: Prevailed by roll call vote (6-0-1-0)

Voting Yes: Johns, Rohl, Stalzer, Wheeler, Duhamel, and Rusch

Excused: Diedrich

SB 79 : clarify cross-references regarding powers of attorney.

Presented by: Senator Timothy Johns
Proponents: Elizabeth Overmoe, State Bar of South Dakota, Pierre
Erik Nelson, AARP, Sioux Falls

MOTION: DO PASS SB 79

Moved by: Rohl
Second by: Wheeler
Action: Prevailed by roll call vote (6-0-1-0)

Voting Yes: Johns, Rohl, Stalzer, Wheeler, Duhamel, and Rusch

Excused: Diedrich

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 79 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

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

Lorna Shell, Committee Secretary

/s/ ARTHUR RUSCH
Arthur Rusch, Chair