

Committee: Senate Judiciary

Thursday, February 03, 2022 8:00 AM

Roll Call

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

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Rusch

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 01ST

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

HB 1106 : provide for the security and privacy of certain personally identifiable information for judicial officers and to declare an emergency.

Presented by: Greg Sattizahn, Unified Judicial System
Opponents: David Bordewyk, South Dakota Newspaper Association, Brookings

MOTION: DO PASS HB 1106

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

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

Voting No: Wheeler

HB 1107 : establish a process for requesting records prepared or maintained by court services officers.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1107

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

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

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1107 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1108 : revise provisions related to driving under the influence.

Presented by: Greg Sattizahn, Unified Judicial System

Proponents: Terra Larson, SD Association of Criminal Defense Lawyers, Pierre

MOTION: DO PASS HB 1108

Moved by: Wheeler

Second by: Rohl

Action: Prevailed by Majority Members Elect (7-0-0-0)

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

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1108 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1109 : revise a provision related to the review of the master jury list.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1109

Moved by: Duhamel

Second by: Rohl

Action: Prevailed by Majority Members Elect (7-0-0-0)

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

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1109 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 121 : restrict the distribution of deceptive images or recordings with the intent to influence the outcome of an election.

Presented by: Senator Jessica Castleberry, District 35

Proponents: Representative Tim Goodwin, District 30

Opponents: Justin G. Smith, South Dakota Newspaper Association, Brookings
Steve Willard, South Dakota Broadcasters Association, Pierre

MOTION: DEFER SB 121 TO THE 41ST LEGISLATIVE DAY

Moved by: Wheeler

Second by: Johns

Action: Prevailed by Majority Members Elect (7-0-0-0)

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

SB 113 : add nabiximols as a Schedule III controlled substance.

Presented by: Senator Erin Tobin, District 21

Proponents: Kurt Stembridge, Greenwich Bio Sciences, PALO ALTO

Opponents: Joan Adam, Department of Health

MOTION: DO PASS SB 113

Moved by: Stalzer
Second by: Rohl
Action: Prevailed by Majority Members Elect (4-2-1-0)

Voting Yes: Johns, Rohl, Stalzer, and Wheeler

Voting No: Duhamel and Rusch

Excused: Diedrich

SB 135 : revise provisions regarding agritourism liability.

Presented by: Senator John Wiik, District 4 (Handout(s) 2)
Proponents: Brian Pontious, Department of Agriculture and Natural Resources
Bailey Carlsen, Department of Tourism (Handout(s) 1)
Mark Mueller, self, Big Stone City
Brenda Forman, South Dakota Ag Unity, Pierre
Justin G. Smith, South Dakota Visitor Industry Alliance, Pierre
Opponents: Steve Siegel, South Dakota Trial Lawyers Association, Sioux Falls

MOTION: DO PASS SB 135

Moved by: Duhamel
Second by: Stalzer
Action: Prevailed by Majority Members Elect (5-1-1-0)

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

Voting No: Rusch

Excused: Diedrich

Chairman Rusch stated SB111 would be continued to February 8, 2022 due to time constraints.

MOTION: ADJOURN

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

Lorna Shell, Committee Secretary

/s/ ARTHUR RUSCH
Arthur Rusch, Chair