

Committee: House Judiciary

Friday, February 25, 2022 10:00 AM

Roll Call

Present: Rep. Aylward, Rep. Barthel, Rep. Cwach, Rep. Odenbach, Rep. Sue Peterson, Rep. Pischke, Rep. Pourier, Rep. Rehfeldt, Rep. Reimer, Rep. Soye, Rep. St. John, Rep. Stevens, and Rep. Hansen

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 23RD

Moved by: Barthel
Second by: Rehfeldt
Action: Prevailed by voice vote

SB 22 : revise a reference to the Division of Criminal Investigation.

Presented by: Representative Hugh Bartels, District 5

MOTION: DO PASS SB 22

Moved by: Rehfeldt
Second by: Reimer
Action: Prevailed by roll call vote (12-0-1-0)

Voting Yes: Aylward, Barthel, Cwach, Odenbach, Sue Peterson, Pischke, Rehfeldt, Reimer, Soye, St. John, Stevens, and Hansen

Excused: Pourier

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 22 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

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

Presented by: Representative Scott Odenbach, District 31
Proponents: Elizabeth Overmoe, State Bar of South Dakota, Pierre
Erik Nelson, AARP, Sioux Falls

MOTION: DO PASS SB 79

Moved by: Stevens
Second by: Reimer
Action: Prevailed by roll call vote (11-0-2-0)

Voting Yes: Aylward, Barthel, Cwach, Odenbach, Sue Peterson, Pischke, Rehfeldt, Reimer, St. John, Stevens, and Hansen

Excused: Pourier and Soye

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

SB 83 : **modify when a motion for expungement of an arrest record may be made and to declare an emergency.**

Presented by: Representative Hugh Bartels, District 5

Proponents: Steve Drenth, self, Sioux Falls
Ryan Kolbeck, self, Sioux Falls
Terra Larson, SD Association of Criminal Defense Lawyers, Pierre
Steve Siegel, South Dakota Trial Lawyers Association, Sioux Falls
Grant M. Flynn, South Dakota State's Attorneys Association, Pierre

MOTION: DO PASS SB 83

Moved by: Stevens
Second by: Rehfeldt
Action: Prevailed by roll call vote (11-0-2-0)

Voting Yes: Aylward, Barthel, Cwach, Sue Peterson, Pischke, Pourier, Rehfeldt, Reimer, St. John, Stevens, and Hansen

Excused: Odenbach and Soye

SB 86 : **revise certain definitions in laws regarding physical therapists.**

Presented by: Tim Dougherty, South Dakota Chapter of American Physical Therapy Association, Sioux Falls

Proponents: Mark Deak, South Dakota Health Care Association, Sioux Falls

MOTION: DO PASS SB 86

Moved by: Reimer
Second by: Stevens
Action: Prevailed by roll call vote (10-0-3-0)

Voting Yes: Aylward, Barthel, Cwach, Sue Peterson, Pischke, Pourier, Reimer, St. John, Stevens, and Hansen

Excused: Odenbach, Rehfeldt, and Soye

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 86 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 169 : **establish a means for certain Department of Corrections inmates to earn credit against fines or costs ordered by the sentencing court.**

Presented by: Senator Arthur Rusch, District 17

MOTION: DO PASS SB 169

Moved by: Stevens
Second by: St. John
Action: Prevailed by roll call vote (10-0-3-0)

Voting Yes: Aylward, Barthel, Cwach, Sue Peterson, Pischke, Pourier, Reimer, St. John, Stevens, and Hansen

Excused: Odenbach, Rehfeldt, and Soye

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 169 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Stevens
Second by: Pischke
Action: Prevailed by voice vote

Gail Tennant, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair