

Committee: SB 198 A Conference Committee

Wednesday, March 09, 2022 11:00 AM

Roll Call

Present: Rep. Cwach, Rep. Kevin Jensen, Rep. Finck, Sen. Heinert, Sen. V. J. Smith, and Sen. Schoenbeck

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Senator Schoenbeck**

**SB 198 : establish an interim committee regarding alternatives for placement of juvenile offenders.**

**MOTION: AMEND SB 198**

198E

On page 1, line 1, of the House State Affairs Engrossed bill, after "for " insert "the "

On page 1, line 5, of the House State Affairs Engrossed bill, after "for " insert "the "

On page 1, line 6, of the House State Affairs Engrossed bill, delete "The speaker shall appoint five members of the House of Representatives and three members of the public, at least two with involvement in public education. The president pro tempore shall appoint five members of the Senate and three members of the public, at least two with involvement in public education. The Governor shall appoint eight individuals. " and insert "

The committee must consist of:

- (1) Four members of the House of Representatives, appointed by the speaker of the House of Representatives;
- (2) Four members of the Senate, appointed by the president pro tempore of the Senate;
- (3) Two administrators employed by school districts, appointed by the speaker of the House of Representatives;
- (4) Two administrators employed by school districts, appointed by the president pro tempore of the Senate;
- (5) One mental health professional employed in the private sector, appointed by the speaker of the House of Representatives;
- (6) One mental health professional employed in the private sector, appointed by the president pro tempore of the Senate;
- (7) One addiction and prevention professional who is employed in the private sector and provides services primarily to juveniles, appointed by the speaker of the House of Representatives;
- (8) One addiction and prevention professional who is employed in the private sector and provides services primarily to juveniles, appointed by the president pro tempore of the Senate;
- (9) One person representing law enforcement, appointed by the speaker of the House of Representatives;
- (10) One person representing law enforcement, appointed by the president pro tempore of the Senate; and
- (9) Two persons representing the South Dakota Unified Judicial System, appointed by the Chief Justice of the South Dakota Supreme Court.

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Moved by: Finck

Second by: Kevin Jensen

Action: Was not acted on.

**MOTION:    SUBSTITUTE MOTION:    AMEND SB 198**

198F

- On page 1, line 1, of the House State Affairs Engrossed bill, after "interim " insert "juvenile continuum of care "
- On page 1, line 1, of the House State Affairs Engrossed bill, after "committee " delete "regarding alternatives for placement of juvenile offenders"
- On page 1, line 4, of the House State Affairs Engrossed bill, delete "placement " and insert "continuum of care "
- On page 1, line 5, of the House State Affairs Engrossed bill, delete "alternatives for placement " and insert "community based alternative programming that best meets the needs "
- On page 1, line 5, of the House State Affairs Engrossed bill, after "of " insert "identified juveniles or "
- On page 1, line 5, of the House State Affairs Engrossed bill, after "offenders" insert " within the community"
- On page 1, line 5, of the House State Affairs Engrossed bill, after "offenders, " delete "develop findings, report on the findings, "
- On page 1, line 6, of the House State Affairs Engrossed bill, after "recommend " insert "any necessary "
- On page 1, line 6, of the House State Affairs Engrossed bill, delete "The speaker shall appoint five members of the House of Representatives and three members of the public, at least two with involvement in public education. The president pro tempore shall appoint five members of the Senate and three members of the public, at least two with involvement in public education. The Governor shall appoint eight individuals. " and insert "
- The committee must consist of:
- (1) Four members of the House of Representatives, appointed by the speaker of the House of Representatives;
  - (2) Four members of the Senate, appointed by the president pro tempore of the Senate;
  - (3) Two administrators employed by school districts, appointed by the speaker of the House of Representatives;
  - (4) Two administrators employed by school districts, appointed by the president pro tempore of the Senate;
  - (5) One mental health professional employed in the private sector, appointed by the speaker of the House of Representatives;
  - (6) One mental health professional employed in the private sector, appointed by the president pro tempore of the Senate;
  - (7) One addiction and prevention professional who is employed in the private sector and provides services primarily to juveniles, appointed by the speaker of the House of Representatives;
  - (8) One addiction and prevention professional who is employed in the private sector and provides services primarily to juveniles, appointed by the president pro tempore of the Senate;
  - (9) One person representing law enforcement, appointed by the speaker of the House of Representatives;
  - (10) One person representing law enforcement, appointed by the president pro tempore of the Senate; and
  - (9) Two persons representing the South Dakota Unified Judicial System, appointed by the Chief Justice of the South Dakota Supreme Court.

"

Moved by: Kevin Jensen  
 Second by: Finck  
 Action: Prevailed by voice vote

**MOTION:    SUBSTITUTE MOTION:    AMEND SB 198**

198G

On amendment (198F),

On page 1, line 1, after "interim" delete " juvenile continuum of care"  
On page 1, line 6, delete " that best meets" and insert " to best fit"  
On page 1, line 7, after "of" insert " the"  
On page 1, line 7, delete " juveniles" and insert " juvenile"  
On page 1, line 7, delete " offenders" and insert " offender"  
On page 1, line 7, delete " the" and insert " their"  
On page 1, line 7, after "community" delete the comma  
On page 1, line 8, delete " recommend any necessary legislation" and insert " report the committee's findings"  
Moved by: Kevin Jensen  
Second by: Finck  
Action: Prevailed by voice vote

**MOTION: DO CONCUR IN AMENDMENTS TO SB 198**

Moved by: Finck  
Second by: Heinert  
Action: Prevailed by Majority Members Elect (5-1-0-0)  
Voting Yes: Cwach, Kevin Jensen, Finck, Heinert, and V. J. Smith  
Voting No: Schoenbeck

**MOTION: ADJOURN**

Moved by: V. J. Smith  
Second by: Kevin Jensen  
Action: Prevailed by voice vote

Mary Kirk, Committee Secretary

/s/ LEE SCHOENBECK  
Lee Schoenbeck, Chair

/s/ CALEB FINCK  
Caleb Finck, Chair