

Committee: House Judiciary

Monday, February 27, 2023 10:00 AM

Roll Call

Present: Rep. Fitzgerald, Rep. Kull, Rep. Massie, Rep. Odenbach, Rep. Reimer, Rep. Reisch, Rep. Soye, Rep. St. John, Rep. Teunissen, Rep. Tordsen, Rep. Stevens, and Rep. Hansen
Excused: Rep. Pourier

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

MOTION: TO APPROVE THE MINUTES OF FRIDAY, FEBRUARY 24TH

Moved by: Soye
Second by: Reisch
Action: Prevailed by voice vote

SB 3 : require law enforcement notice to school officials when a student is suspected of violating state drug or alcohol laws or of threatening violence.

Presented by: Representative Fred Deutsch (Handout(s) 1, 2)
Opponents: Casey Murschel, SD Advocacy Network for Women, Sioux Falls

MOTION: DO PASS SB 3 AS AMENDED

Moved by: Soye
Second by: Fitzgerald
Action: Prevailed by Majority Members Elect (10-2-1-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Reimer, Reisch, Soye, Teunissen, Stevens, and Hansen

Voting No: St. John and Tordsen

Excused: Pourier

SB 42 : modify power of attorney requirements for certain vehicle transfer authorizations.

Presented by: Representative Mike Stevens (Handout(s) 3)
Proponents: Richard Tieszen, State Farm Insurance, Bloomington, MN
Craig Matson, Farmers Mutual of Nebraska, Lincoln, NE
Craig Matson, South Dakota Insurance Alliance, Sioux Falls
Doug Abraham, American Property Casualty Insurance Association, Chicago, IL
Erik Nelson, AARP South Dakota, Sioux Falls

MOTION: DO PASS SB 42

Moved by: Kull
Second by: Fitzgerald

Action: Prevailed by Majority Members Elect (12-0-1-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Reimer, Reisch, Soye, St. John, Teunissen, Tordsen, Stevens, and Hansen

Excused: Pourier

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 42 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 103 : create a pilot program in the Unified Judicial System for risk and lethality assessments for certain persons accused of assault or protection order violations.

Presented by: Representative Amber Arlint

Proponents: Greg Sattizahn, Unified Judicial System
Dianna Miller, South Dakota Network Against Family Violence, Sioux Falls

MOTION: DO PASS SB 103

Moved by: Stevens

Second by: Tordsen

Action: Prevailed by Majority Members Elect (12-0-1-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Reimer, Reisch, Soye, St. John, Teunissen, Tordsen, Stevens, and Hansen

Excused: Pourier

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 103 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 115 : revise certain provisions regarding consideration of out-of-state convictions for driving under the influence.

Presented by: Senator Jim Mehlhaff

Proponents: Jessica LaMie, Hughes Co. States Attorney, Pierre (Handout(s) 4)
Grant M. Flynn, South Dakota State's Attorneys Association, Pierre
Stephen Gemar, Attorney General

MOTION: DO PASS SB 115

Moved by: Kull

Second by: Fitzgerald

Action: Prevailed by Majority Members Elect (12-0-1-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Reimer, Reisch, Soye, St. John, Teunissen, Tordsen, Stevens, and Hansen

Excused: Pourier

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 115 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 191 : establish the task force to address the welfare of Indian children in South Dakota.

Presented by: Senator Red Dawn Foster (Handout(s) 5, 6)
Proponents: Alicia Mousseau, Oglala Sioux Tribe, Pine Ridge
Peter Lengkeek, Crow Creek Sioux Tribe, Fort Thompson
Jennifer Hughes, Self, Oglala Sioux Tribe Attorney, Washington DC
Jessica Morson, Flandreau Santee Sioux Tribe, Flandreau

MOTION: DO PASS SB 191

Moved by: Reisch
Second by: Odenbach
Action: Prevailed by Majority Members Elect (11-0-2-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Reimer, Reisch, St. John, Teunissen, Tordsen, Stevens, and Hansen

Excused: Pourier and Soye

SB 67 : revise provisions related to emergency and involuntary commitment for alcohol and drug abuse.

Presented by: Representative Mike Stevens
Proponents: Madeline Miller, Lewis & Clark Behavioral Health Services, Yankton
Terrance Lee Dosch, South Dakota Council of Community Behavioral Health, Pierre
Deb Fischer-Clemens, Avera Health, Sioux Falls
Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls

MOTION: DO PASS SB 67

Moved by: Reisch
Second by: Kull
Action: Prevailed by Majority Members Elect (9-3-1-0)

Voting Yes: Kull, Massie, Odenbach, Reisch, St. John, Teunissen, Tordsen, Stevens, and Hansen

Voting No: Fitzgerald, Reimer, and Soye

Excused: Pourier

SB 75 : revise provisions related to parental support for expenses related to pregnancy and childbirth.

Presented by: Representative Mike Stevens
Proponents: Katie Hruska, Governor's Office
Ellie J. Bailey, South Dakota Section of the American College of Obstetricians and Gynecologists, Rapid City
Dale Allen Bartscher, South Dakota Right to Life, Rapid City
Michael Pauley, South Dakota Catholic Conference, Rapid City

Norman Woods, Family Heritage Alliance Action, Rapid City

MOTION: DO PASS SB 75

Moved by: Tordsen
Second by: Fitzgerald
Action: Prevailed by Majority Members Elect (12-0-1-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Reimer, Reisch, Soye, St. John, Teunissen, Tordsen, Stevens, and Hansen

Excused: Pourier

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 75 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 180 : address requirements for the execution of a living will.

Presented by: Representative Mike Stevens
Proponents: Deb Fischer-Clemens, Avera Health, Sioux Falls
Erik Nelson, AARP South Dakota, Sioux Falls
Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls

MOTION: DO PASS SB 180

Moved by: Kull
Second by: Fitzgerald
Action: Prevailed by Majority Members Elect (8-4-1-0)

Voting Yes: Fitzgerald, Kull, Massie, Reisch, St. John, Teunissen, Tordsen, and Stevens

Voting No: Odenbach, Reimer, Soye, and Hansen

Excused: Pourier

MOTION: ADJOURN

Moved by: Reisch
Second by: Teunissen
Action: Prevailed by voice vote

Janelle Toman, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair