

Committee: Senate State Affairs

Friday, February 23, 2024 10:00 AM

Roll Call

Present: Sen. Schoenbeck, Sen. Davis, Sen. Duhamel, Sen. Nesiba, Sen. Rohl, Sen. Tobin, Sen. Deibert, Sen. Wheeler, and Sen. Crabtree

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Crabtree

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 21ST

Moved by: Davis
Second by: Nesiba
Action: Prevailed by voice vote

DENNIS LAW OF PENNINGTON COUNTY, WALL, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Presented by: Mackenzie Decker, Governor's Office
Proponents: Nick Wendell, Board of Technical Education

MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE APPOINTMENT OF DENNIS LAW OF PENNINGTON COUNTY, WALL, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Moved by: Tobin
Second by: Duhamel
Action: Prevailed by Majority Members Elect (6-0-3-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Nesiba, Tobin, and Crabtree

Excused: Rohl, Deibert, and Wheeler

DIANA VANDERWOUDE OF MINNEHAHA COUNTY, SIOUX FALLS, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Presented by: Mackenzie Decker, Governor's Office
Proponents: Nick Wendell, Board of Technical Education

MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF DIANA VANDERWOUDE OF MINNEHAHA COUNTY, SIOUX FALLS, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Moved by: Nesiba
Second by: Schoenbeck
Action: Prevailed by Majority Members Elect (6-0-3-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Nesiba, Tobin, and Crabtree

Excused: Rohl, Deibert, and Wheeler

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED THE APPOINTMENT OF DIANA VANDERWOUDE OF MINNEHAHA COUNTY, SIOUX FALLS, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

TERRY SABERS OF DAVISON COUNTY, MITCHELL, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Presented by: Mackenzie Decker, Governor's Office

Proponents: Nick Wendell, Board of Technical Education

MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF TERRY SABERS OF DAVISON COUNTY, MITCHELL, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Moved by: Schoenbeck

Second by: Duhamel

Action: Prevailed by Majority Members Elect (6-0-3-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Nesiba, Tobin, and Crabtree

Excused: Rohl, Deibert, and Wheeler

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED THE APPOINTMENT OF TERRY SABERS OF DAVISON COUNTY, MITCHELL, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

DANA DYKHOUSE OF LINCOLN COUNTY, SIOUX FALLS, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Presented by: Mackenzie Decker, Governor's Office

Proponents: Nick Wendell, Board of Technical Education

MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF DANA DYKHOUSE OF LINCOLN COUNTY, SIOUX FALLS, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Moved by: Schoenbeck

Second by: Tobin

Action: Prevailed by Majority Members Elect (6-0-3-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Nesiba, Tobin, and Crabtree

Excused: Rohl, Deibert, and Wheeler

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED THE APPOINTMENT OF DANA DYKHOUSE OF LINCOLN COUNTY, SIOUX FALLS, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

DOUGLAS EKEREN OF YANKTON COUNTY, YANKTON, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Presented by: Mackenzie Decker, Governor's Office

Proponents: Nick Wendell, Board of Technical Education

MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF DOUGLAS EKEREN OF YANKTON COUNTY, YANKTON, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Moved by: Tobin

Second by: Duhamel

Action: Prevailed by Majority Members Elect (6-0-3-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Nesiba, Tobin, and Crabtree

Excused: Rohl, Deibert, and Wheeler

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED THE APPOINTMENT OF DOUGLAS EKEREN OF YANKTON COUNTY, YANKTON, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

BRIAN SANDVIG OF GRANT COUNTY, MILBANK, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Presented by: Mackenzie Decker, Governor's Office

Proponents: Nick Wendell, Board of Technical Education

MOTION: THAT THE SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF BRIAN SANDVIG OF GRANT COUNTY, MILBANK, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION

Moved by: Schoenbeck

Second by: Tobin

Action: Prevailed by Majority Members Elect (6-0-3-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Nesiba, Tobin, and Crabtree

Excused: Rohl, Deibert, and Wheeler

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED THE APPOINTMENT OF BRIAN SANDVIG OF GRANT COUNTY, MILBANK, SOUTH DAKOTA, TO THE BOARD OF TECHNICAL EDUCATION AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1178 : prohibit the Board of Regents or any institution under its control from using state resources for obscene live conduct.

Presented by: Senator Al Novstrup

Proponents: Representative Chris Karr

Norman Woods, SD Family Voice Action, Rapid City

Opponents: Michael G. Pauley, South Dakota Catholic Conference, Rapid City
 Michael Garofalo, South Dakota State University Students' Association, Brookings
 Josh Styskal, South Dakota Student Federation, Pierre
 Phoebe Smith, Self, Vermillion
 Patrick Fitzgibbon, Self, Rapid City
 Samantha Chapman, American Civil Liberties Union Foundation Inc., NY
 Melissa McCauley, South Dakota for Equity, Sioux Falls
 Ben Sherman, Self, Rapid City

MOTION: AMEND HB 1178

1178A

On page 1, line 11, of the Introduced bill, after "24-27." delete "Section 2. That a NEW SECTION be added to chapter 13-53:

"

On page 1, line 12, of the Introduced bill, after "13-53:" delete "If, as a result of compliance with section 1 of this Act, a lawsuit is brought or a complaint is filed against the Board of Regents, an institution under the control of the board, or an employee of the board or of an institution, the attorney general must provide legal representation to the entity or individual without charge.

The state shall assume financial responsibility for any other expense related to the lawsuit or complaint and incurred by the board, an institution under the control of the board, or an employee of the board or of an institution, including an award of attorneys' fees and costs for which the entity or individual would otherwise be responsible."

Moved by: Schoenbeck

Second by: Tobin

Action: Prevailed by Majority Members Elect (5-3-1-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Nesiba, and Deibert

Voting No: Tobin, Wheeler, and Crabtree

Excused: Rohl

MOTION: DO PASS HB 1178 AS AMENDED

Moved by: Schoenbeck

Second by: Tobin

Action: Prevailed by Majority Members Elect (7-1-1-0)

Voting Yes: Schoenbeck, Davis, Duhamel, Tobin, Deibert, Wheeler, and Crabtree

Voting No: Nesiba

Excused: Rohl

HB 1158 : limit reliance upon secondary sources as statements of law.

Presented by: Senator David Wheeler

Proponents: Doug Abraham, American Property Casualty Insurance Association, Chicago, IL (Handout(s) 1,2,3)
Craig Matson, South Dakota Insurance Alliance, Sioux Falls
Craig Matson, Farmers Mutual of Nebraska, Lincoln, NE

Opponents: Samuel Matson, South Dakota Trial Lawyers Association, Pierre

MOTION: DEFER HB 1158 TO THE 41ST LEGISLATIVE DAY

Moved by: Schoenbeck

Second by: Nesiba

Action: Prevailed by Majority Members Elect (6-2-1-0)

Voting Yes: Schoenbeck, Duhamel, Nesiba, Rohl, Deibert, and Crabtree

Voting No: Tobin and Wheeler

Excused: Davis

MOTION: ADJOURN

Moved by: Deibert

Second by: Wheeler

Action: Prevailed by voice vote

Doug Mortenson, Committee Secretary

/s/ CASEY CRABTREE
Casey Crabtree, Chair