

Roll Call

Present: Rep. Mortenson, Rep. Reisch, Rep. Walburg, Rep. Roby, Rep. Fitzgerald, Rep. Reimer, Rep. Hughes, Rep. Massie, Rep. Kull, Rep. Hunt, Rep. Soye, and Rep. Stevens
Excused: Rep. Pourier

The meeting was called to order by Representative Stevens

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 26TH

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

SB 57 : revise presumptive probation.

Presented by: Brent Kempema, Attorney General
Proponents: Jenna R. Severyn, South Dakota Police Chiefs Association, Fort Pierre
Eric Erickson, South Dakota State's Attorneys Association, Sioux Falls
Opponents: Cash Anderson, South Dakota Association of Criminal Defense Lawyers, Rapid City

MOTION: DEFER SB 57 TO THE 41ST LEGISLATIVE DAY

Moved by: Mortenson
Second by: Reisch
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DO PASS SB 57

Moved by: Fitzgerald
Second by: Hughes
Action: Failed by Majority Members Elect (3-9-1-0)

Voting Yes: Fitzgerald, Hughes, and Hunt

Voting No: Mortenson, Reisch, Walburg, Roby, Reimer, Massie, Kull, Soye, and Stevens

Excused: Pourier

Revert to previous motion

MOTION: DEFER SB 57 TO THE 41ST LEGISLATIVE DAY

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

Voting Yes: Mortenson, Reisch, Walburg, Roby, Reimer, Kull, Hunt, Soye, and Stevens

Voting No: Fitzgerald, Hughes, and Massie

Excused: Pourier

SB 58 : revise provisions related to human trafficking, to prohibit the obstruction of human trafficking enforcement, and to provide a penalty therefor.

Presented by: Brent Kempema, Attorney General

Proponents: Jenna R. Severyn, South Dakota Police Chiefs Association, Fort Pierre
Eric Erickson, South Dakota State's Attorneys Association, Sioux Falls

MOTION: DO PASS SB 58

Moved by: Fitzgerald

Second by: Kull

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

Voting Yes: Mortenson, Reisch, Walburg, Roby, Fitzgerald, Reimer, Hughes, Massie, Kull, Hunt, Soye, and Stevens

Excused: Pourier

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 58 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 59 : revise provisions relating to the delivery, possession with intent to deliver, and possession of unauthorized articles in a state correctional facility, and to provide a penalty therefor.

Presented by: Brent Kempema, Attorney General

Proponents: Bridget Coppersmith, Department of Corrections
Jenna Severyn, SD Police Chiefs Association, Pierre

MOTION: DO PASS SB 59

Moved by: Fitzgerald

Second by: Hughes

Action: Prevailed by Majority Members Elect (10-2-1-0)

Voting Yes: Mortenson, Reisch, Walburg, Roby, Fitzgerald, Reimer, Hughes, Massie, Kull, and Stevens

Voting No: Hunt and Soye

Excused: Pourier

SB 166 : clarify that a digital network is not subject to a cause of action based on the doctrine of product liability.

Presented by: Representative Greg Jamison

Proponents: Grace Beck, Uber Technologies Inc., San Francisco, CA
Brad Nail, Uber, Self, Miami, FL

Opponents: Steve Siegel, South Dakota Trial Lawyers Association, Pierre

MOTION: DO PASS SB 166

Moved by: Mortenson
Second by: Kull
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER SB 166 TO THE 41ST LEGISLATIVE DAY

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

Voting Yes: Reisch, Fitzgerald, Reimer, Hughes, Massie, Hunt, Soye, and Stevens

Voting No: Mortenson, Walburg, Roby, and Kull

Excused: Pourier

SB 175 : create provisions governing litigation financing.

Presented by: Representative Matt Roby

Proponents: Doug Abraham, American Property Casualty Insurance Association, Chicago, IL
Doug Abraham, De Smet Farm Mutual Insurance Company of South Dakota
Christine Vinateri-Erickson, South Dakota Trucking Association, Sioux Falls
Craig Matson, South Dakota Insurance Alliance, Sioux Falls
Craig Matson, Farmers Mutual, Lincoln, NE
Terra Larson, South Dakota Trust Association, Sioux Falls
Nathan Sanderson, South Dakota Retailers Association, Pierre
Mark Alan Behrens, American Property Casualty Insurance Association, Chicago, IL

Opponents: Chris Johnson, Alliance for Responsible Consumer Legal Funding, Washington, D.C. (Handout(s) SB175 #1)

MOTION: AMEND SB 175

175D

On page 7, line 14, of the Senate Engrossed bill, after "a" delete " consumer or the consumer's"

On page 7, line 14, of the Senate Engrossed bill, after "representative" insert " for a corporation, limited liability company, partnership, or trust"

On page 7, line 28, of the Senate Engrossed bill, after "provided" insert " to a corporation, limited liability company, partnership, or trust"

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

MOTION: DO PASS SB 175 AS AMENDED

Moved by: Walburg
Second by: Fitzgerald
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER SB 175 TO THE 41ST LEGISLATIVE DAY

Moved by: Reimer
Second by: Mortenson
Action: Failed by Majority Members Elect (4-8-1-0)

Voting Yes: Mortenson, Reimer, Hunt, and Soye

Voting No: Reisch, Walburg, Roby, Fitzgerald, Hughes, Massie, Kull, and Stevens

Excused: Pourier

Revert to previous motion

MOTION: DO PASS SB 175 AS AMENDED

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

Voting Yes: Reisch, Walburg, Roby, Fitzgerald, Hughes, Massie, Kull, and Stevens

Voting No: Mortenson, Reimer, Hunt, and Soye

Excused: Pourier

MOTION: ADJOURN

Moved by: Hughes
Second by: Mortenson
Action: Prevailed by voice vote

Leonard Chick, Committee Secretary

/s/ MIKE STEVENS
Mike Stevens, Chair