

Committee: Senate Judiciary

Tuesday, February 18, 2020 8:00 AM

Roll Call

Present: Sen. Blare, Sen. Novstrup, Sen. Schoenbeck, Sen. Stalzer, Sen. Kennedy,
Sen. Rusch, and Sen. Russell

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Russell

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 13TH

Moved by: Rusch
Second by: Schoenbeck
Action: Prevailed by voice vote

SB 96 : prohibit the denial of benefits based solely on a controlled substance felony.

Presented by: Senator Reynold Nesiba
Proponents: Jessica Cooper, self, Watertown, SD
Cathy Brechtelsbauer, self, Sioux Falls, SD (Handout(s) 1, 2)
Terry Dosch, SD Council of Community Behavioral Health
Sister Kathleen Bierne, Presentation Sisters of Aberdeen
Justin Bell, SD Association of Criminal Defense Lawyers
Matt Walls, Keystone Support Center

MOTION: DO PASS SB 96

Moved by: Schoenbeck
Second by: Blare
Action: Prevailed by Majority Members Elect (6-1-0-0)

Voting Yes: Blare, Novstrup, Schoenbeck, Stalzer, Kennedy, and Rusch

Voting No: Russell

SB 148 : adopt the Uniform Power of Attorney Act.

Presented by: Senator Jeff Partridge (Handout(s) 3)
Proponents: Andrew Knutson, State Bar of SD
Erik Nelson, AARP SD
Charlie McGuigan, SD Office of the Attorney General

MOTION: DO PASS SB 148

Moved by: Rusch
Second by: Schoenbeck
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Blare, Novstrup, Schoenbeck, Stalzer, Kennedy, Rusch, and Russell

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 148 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: AMEND SB 176

176A

On page 1, line 12, of the Introduced bill, delete "essential " and insert "necessary "
Moved by: Schoenbeck
Second by: Kennedy
Action: Prevailed by voice vote

SB 176 : provide for the seizure and holding of real property as evidence.

Presented by: Senator Jack Kolbeck (Handout(s) 4)
Proponents: Micheal Verley, self, Sioux Falls, SD
Aaron Scheibe, South Dakota State's Attorneys Association
Charlie McGuigan, SD Office of the Attorney General

MOTION: DO PASS SB 176 AS AMENDED

Moved by: Novstrup
Second by: Kennedy
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Blare, Novstrup, Schoenbeck, Stalzer, Kennedy, Rusch, and Russell

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 176 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1047 : revise certain provisions regarding human trafficking.

Presented by: Kara Semmler, Governor's Office
Proponents: Becky Rasmussen, Call to Freedom
Nathan Sanderson, SD Retailers Association
Dale Bartscher, SD Right to Life (Handout(s) 5)

MOTION: DO PASS HB 1047

Moved by: Blare
Second by: Stalzer
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Blare, Novstrup, Schoenbeck, Stalzer, Kennedy, Rusch, and Russell

MOTION: ADJOURN

Moved by: Stalzer
Second by: Schoenbeck
Action: Prevailed by voice vote

Rachael Person, Committee Secretary

/s/ LANCE RUSSELL
Lance Russell, Chair