

Committee: House Judiciary

Monday, February 24, 2020 10:00 AM

Roll Call

Present: Rep. Barthel, Rep. Borglum, Rep. Diedrich, Rep. Hammock, Rep. Latterell, Rep. Pischke, Rep. Rasmussen, Rep. Reimer, Rep. Pourier, Rep. Johns, and Rep. Hansen
Excused: Rep. St. John and Rep. Cwach

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

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

Moved by: Pischke
Second by: Latterell
Action: Prevailed by voice vote

HB 1196 : authorize the revival of certain civil claims.

Presented by: Representative Bordeaux
Proponents: Michelle Dauphinais , Echols, CEO of Child USA (Handout(s) 19)
Marci Hamilton, CEO Child USA, PA Call-in
Jerome Powers, self, Wagner, SD
Geraldine Dubout, self, Wagner, SD
Opponents: Mike Shaw, American Property Casualty Insurance Association
Justin Bell, St. Joesph's Indian School, Pierre (Handout(s) 19)
Brett Koenecke, ELCA, Pierre

MOTION: DEFER HB 1196 TO THE 41ST LEGISLATIVE DAY

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

Voting Yes: Barthel, Borglum, Diedrich, Hammock, Pischke, Reimer, Johns, and Hansen

Voting No: Latterell, Rasmussen, St. John, and Pourier

Excused: Cwach

HB 1121 : establish immunity from liability for the inherent risks of camping.

Presented by: Representative Goodwin
Proponents: Mary Alington, SDCOA, Pierre, SD
Opponents: Steve Siegel, SDTLA, Sioux Falls, SD

MOTION: DEFER HB 1121 TO THE 41ST LEGISLATIVE DAY

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

Voting Yes: Barthel, Diedrich, Hammock, Latterell, Pischke, Rasmussen, Reimer, Pourier, Johns, and Hansen

Voting No: St. John

Excused: Borglum and Cwach

HB 1147 : recalculate abatement of the basic child support obligation.

Presented by: Representative Tom Pischke
Proponents: Matt West, self, Sioux Falls, SD
Opponents: Gail Stoltenburg, Department of Social Services
Lindsey Riter, State Bar of SD, Pierre, SD
Steve Siegel, SDTLA, Sioux Falls, SD

MOTION: DO PASS HB 1147

Moved by: Hammock
Second by: Pischke
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: AMEND HB 1147

1147A

On page 1, line 9, of the Introduced bill, delete "shall " and insert "may "

Moved by: Pischke
Second by: Latterell
Action: Prevailed by voice vote

MOTION: SUBSTITUTE MOTION: AMEND HB 1147

1147B

On page 1, line 26, of the Introduced bill, remove the overstrikes from "In deciding whether an abatement is appropriate, the court shall consider whether it would have a substantial negative effect on the child's standard of living."

Moved by: Pischke
Second by: Latterell
Action: Prevailed by voice vote

MOTION: DO PASS HB 1147 AS AMENDED

Moved by: Pischke
Second by: Hammock
Action: Failed by Majority Members Elect (5-8-0-0)

Voting Yes: Hammock, Latterell, Pischke, Rasmussen, and St. John

Voting No: Barthel, Borglum, Diedrich, Reimer, Cwach, Pourier, Johns, and Hansen

MOTION: DEFER HB 1147 TO THE 41ST LEGISLATIVE DAY

Moved by: Barthel
Second by: Johns
Action: Prevailed by Majority Members Elect (8-5-0-0)

Voting Yes: Barthel, Borglum, Diedrich, Reimer, Cwach, Pourier, Johns, and Hansen

Voting No: Hammock, Latterell, Pischke, Rasmussen, and St. John

HB 1146 : exclude second job income from child support obligations.

Presented by: Representative Tom Pischke
Opponents: Gail Stoltenburg, Department of Social Services
Lindsey Riter, State Bar of SD, Pierre, SD
Steve Siegel, SDTLA, Sioux Falls, SD

MOTION: DEFER HB 1146 TO THE 41ST LEGISLATIVE DAY

Moved by: Reimer
Second by: Pourier
Action: Prevailed by Majority Members Elect (11-1-1-0)

Voting Yes: Barthel, Borglum, Diedrich, Hammock, Latterell, Rasmussen, Reimer, Cwach, Pourier, Johns, and Hansen

Voting No: Pischke

Excused: St. John

HB 1266 : prohibit collective bargaining by employees of the Board of Regents.

Presented by: Representative Scyller Borglum
Opponents: Jeremiah Murphy, South Dakota Education Association
Ron Utecht, self, Madison
Alan Aldrich, self, Vermilion SD
Bill Adamson, self, Brookings (Handout(s) 21)

THE CHAIR DEFERRED HB 1266

MOTION: ADJOURN

Moved by: Pischke
Second by: Hammock
Action: Prevailed by voice vote

Nancy Bugay, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair