

Committee: Senate Judiciary

Tuesday, March 03, 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 27<sup>TH</sup>**

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

**MOTION: AMEND HB 1067**

1067G

On page 1, line 9, of the House bill, after "a " insert "legal "  
On page 1, line 10, of the House bill, after "situated" insert ", or as allowed by § 17-2-10"  
On page 1, line 10, of the House bill, after "situated. " delete "If no paper meets that criteria, service shall be provided in a newspaper published nearest to the county seat of such county."

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

**HB 1067 : modify certain provisions regarding notice, service, and execution of judgments.**

Presented by: Representative Tim Reed  
Proponents: Denise Hanzlik, SDMHA, Dell Rapids, SD (Handout(s) 1)  
Todd Hollan, self, Rapid City, SD  
Amy Ibis, self, Sioux Falls, SD  
Amy Miller, self, Sioux Falls, SD  
Katie Sieverding,SDMH, Pierre, SD  
Staci Ackerman, SD Sheriffs Association  
Joe Bosman, Minnehaha County, Sioux Falls, SD

**MOTION: AMEND HB 1067**

1067H

On the previously adopted amendment (1067G), On page 1, line 8, delete "under this section" and insert " pursuant to § 21-16-6"

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

**MOTION: DO PASS HB 1067 AS AMENDED**

Moved by: Schoenbeck

Second by: Blare  
Action: Prevailed by Majority Members Elect (4-2-1-0)

Voting Yes: Blare, Novstrup, Schoenbeck, and Russell

Voting No: Kennedy and Rusch

Excused: Stalzer

**HB 1068 : include out-of-state convictions for the basis of an enhanced penalty for the crime of stalking.**

Presented by: Senator Jack Kolbeck  
Proponents: Dianna Miller, South Dakota Network Against Family Violence  
Charlie McGuigan, Office of the Attorney General

**MOTION: DO PASS HB 1068**

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

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

Excused: Stalzer

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1068 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**HB 1094 : repeal certain provisions regarding permits for concealed pistols.**

Presented by: Representative Thomas Brunner  
Proponents: Brian Gosch, NRA, Rapid City  
Dianna Miller, ABATE  
Jiggs Cressy, self, Rapid City, SD

**MOTION: DO PASS HB 1094**

Moved by: Blare  
Second by: Novstrup  
Action: Prevailed by Majority Members Elect (4-2-1-0)

Voting Yes: Blare, Novstrup, Schoenbeck, and Russell

Voting No: Kennedy and Rusch

Excused: Stalzer

**HB 1169 : prohibit the use of certain electronic devices while driving.**

Presented by: Representative Doug Barthel  
Proponents: Doug Abraham, American Property Insurance Association

Craig Matson, South Dakota Insurance Alliance, Sioux Falls  
Dean Krogman, South Dakota Medical Association  
Dick Tieszen, Attorney, State Farm Insurance Company, Pierre, SD  
Lori Martinec, SD Municipal League, Ft. Pierre, SD  
Bill VanCamp, AAA, Pierre, SD  
Maynard Konechne, South Dakota Emergency Medical Services Association  
Deb Fischer-Clemens, Avera  
Myron Rau, South Dakota Trucking Association  
Deb Mortenson, Associated General Contractors of South Dakota  
Mitchell Rave, Sanford Health  
Kevin Kouba, SD Safety Council, Milbank, SD  
Jennifer Stalley, South Dakota Nurses Association  
Tim Rave, SD Association of Healthcare Organizations  
Jeff Dahl, self, Castlewood  
Lesa Dahl, self, Castlewood, SD

**MOTION: DO PASS HB 1169**

Moved by: Rusch  
Second by: Kennedy  
Action: Prevailed by Majority Members Elect (4-3-0-0)

Voting Yes: Blare, Novstrup, Kennedy, and Rusch

Voting No: Schoenbeck, Stalzer, and Russell

**MOTION: ADJOURN**

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

Rachael Person, Committee Secretary

\_\_\_\_\_  
/s/ LANCE RUSSELL  
Lance Russell, Chair