

JUDICIARY COMMITTEE

EXECUTIVE SESSION

January 18, 1977

Executive session followed the regularly scheduled hearing on January 18, 1977.

The first bill brought under discussion was House Bill #121. Discussion about the bill in regard to eminent domain and possible rewriting of the bill.

REPRESENTATIVE LORY made a motion to lay it on the table. Motion was seconded. It would require a 2/3 majority vote to take it off the table. The motion carried and the bill will be tabled indefinitely.

House Bill #116 was next brought up for action.

REPRESENTATIVE BAETH made a motion to "Do Pass". The motion was seconded.

REPRESENTATIVE COURTNEY: Does this give a greater right than the fifth amendment?

REPRESENTATIVE COLBURN made a substitute motion "Do Not Pass". I feel this will do more harm than good. We are giving them a blank check, so to speak.

REPRESENTATIVE DUSSAULT: What are we giving them a blank check to do?

Mr. Dowling, all this bill does is overthrow a recent supreme court decision.

REPRESENTATIVE LORY: I am against the substitute motion.

REPRESENTATIVE DUSSAULT: I am against the substitute motion.

REPRESENTATIVE ROTH, stated she was for the substitute motion.

REPRESENTATIVE CONROY, stated he was for the substitute motion.

REPRESENTATIVE KEYSER made a motion to amend page 1, line 12 by striking "information", and on page 2, lines 14, 15, 16 strike "all of subsection (3)".

There was discussion that this would nulify the bill. He then suggested that on page 1, line 12 following "of" strike: "information and".

The comment was made that this motion would not do anything.

REPRESENTATIVE KEYSER withdrew his motion. REPRESENTATIVE COLBURN withdrew his motion. Original motion of "Do Pass". Motion failed 9-7.

REPRESENTATIVE LORY made a motion to "Do Not Pass". Motion was seconded and question called.

Motion passed 9-7

No	Yes
Baeth	Colburn
Courtney	Conroy
Day	Hand
Dussault	Eudaily
Helmes	Keyser
Lory	Roth
Ramirez	Seifert
	Teague

REPRESENTATIVE KENNERLY was absent and REPRESENTATIVE SCULLY was excused.

REPRESENTATIVE SCULLY returned from another meeting in which he was carrying a bill.

The sub-committee reported on the study of House Bills #80, 91 & 92. It was recommended that House Bills #91 & 92 be held in committee and that House Bill #80 be passed out of committee.

It was felt that House Bill #80 was a better bill and it should have time to operate.

REPRESENTATIVE DUSSAULT made a motion, the proposed amendment, by the sponsor of the bill, Representative Palmer, be accepted. This amendment had been recommended by both sides. Several other amendments were presented by the sub-committee, also.

The motion carried with unanimous vote.

REPRESENTATIVE KEYSER made a motion to "Do Pass as Amended". Motion seconded, question called. Motion carried unanimously. (copy attached)

REPRESENTATIVE TEAGUE made a motion to "do not pass" on House Bills #91 & 92. Motion was seconded.

REPRESENTATIVE DUSSAULT made a substitute motion to "lay on the table." The motion carried with the vote unanimous.

House Bill #117 was next presented to the committee for action.

REPRESENTATIVE LORY made a motion to "Do Not Pass". Motion seconded.

REPRESENTATIVE RAMIREZ made a substitute motion to "table", until further consideration. Motion carried unanimously.

CHAIRMAN SCULLY appointed various committee members to take the rationale of the committee to the sponsors of these bills that had suffered from "Do Not Pass" committee action, to avoid hard feelings.

CHAIRMAN SCULLY announced the committee would meet at 9:00 A. M. following morning, instead of usual 8:00 A. M.

HOUSE BILL #165, which was to have been heard earlier in the meeting was now scheduled for hearing, because several people were present and the Chairman did not want them to make another trip. The sponsor of the bill, Representative South could not be present for this hearing, but it was decided to go ahead anyway, and then reschedule.

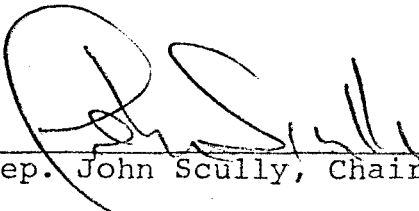
PROPONENT SAM GUILLULY: I support this bill, however, we do suggest two amendments. He presented a copy of a statement. (attached)

OPPONENT TED BURLAND: I suggest that you are jeopardizing the youth and his whole family. I am definitely opposed to this bill.

Hearing closed on House Bill #165.

CHAIRMAN SCULLY announced there would be a criminal justice hearing in room 436 on Tuesday at 3:00 P. M.

Meeting adjourned 11:00 A. M.


Rep. John Scully, Chairman


Mary Ellen Connelly, Secretary