

MINUTES OF MEETING
SENATE JUDICIARY COMMITTEE
January 15, 1977

The meeting of this committee was called to order by Senator Turnage, Chairman, at 9:30 a.m. in Room 442 of the State Capitol Building on the above date.

ROLL CALL:

All members were present with the exception of Senator Roberts who was excused.

CONSIDERATION OF SENATE BILL 9:

Chairman Turnage placed S.B. 9 before the committee for discussion as it had been heard on January 11, 1977.

DISPOSITION OF SENATE BILL 9:

Senator Towe moved to amend page 15, section 22, lines 1 through 11, by striking section 22 in its entirety and renumbering the subsequent sections. The motion carried unanimously.

Senator Towe then moved to amend page 16, section 23, line 14, following the word "city" by inserting a "," and striking the word "or", and to further amend line 14 following the word "town" by inserting ", county, or other political subdivision of the state". The motion carried unanimously.

Senator Towe moved to amend page 17, section 27, line 11, following "94-8-403," by inserting "94-8-413,". Motion carried.

Senator Towe then moved that Senate Bill 9, as so amended, DO PASS. The motion carried unanimously.

CONSIDERATION OF SENATE BILL 30:

Joan Mayer, attorney with the Legislative Counsel, resumed her explanation of this recodification bill beginning with section 34 as that is where the committee had to stop on Friday, January 14, 1977.

Senator Towe moved to strike section 38, pages 49 and 50, in its entirety and renumber the subsequent sections accordingly. The motion carried unanimously.

Senator Towe then moved to strike section 40, page 52, in its entirety and renumber the following sections accordingly. This motion carried unanimously.

Senator Towe moved to strike section 44 on page 57, lines 11 through 25, in its entirety and renumber the following sections accordingly. The motion carried unanimously.

Senator Towe moved to amend section 45, page 58, line 3, following the word "~~or~~" by inserting the words "Prisoner not agent or" and to further amend in lines 3 and 4 by striking the words "Penalty for treating prisoner as";

And to further amend section 45, page 58, after the "." on line 10 by inserting the following, "No prisoner in the community under the provisions of this act may be considered to be an agent or involuntary servant of the department or of the supervising agency while released from confinement pursuant to the terms of the furlough program. Abuse of authority over a prisoner is official misconduct punishable as provided in 94-7-401."; and to further amend on line 10 through line 14 by striking the following, "An officer or employee of the department or of the supervising agency who treats a prisoner participating in the furlough program as an involuntary servant is guilty of official misconduct and is punishable as provided in 94-7-401."

The motion to amend section 45 carried unanimously.

Senator Towe moved to amend section 47, page 59, after line 22, by inserting the words "otherwise specifically"; and to further amend section 47 on line 23 by striking the words "by this title". The motion carried unanimously.

Senator Towe then moved to amend section 47, page 60, line 4, after "95-2101~~(e)~~~~(3)~~" by inserting "(2)(c)(iii)". The motion carried unanimously.

Senator Towe moved to amend section 63, page 70, lines 23 and 24, by striking "95-3134 and 95-3134.1" and inserting in lieu thereof "94-3124 and 95-3124.1". The motion carried unanimously.

There being no time to further study this bill, the committee adjourned to reconvene at 9:30 a.m. on Monday, January 17, 1977.

SENATOR JEAN A. TURNAGE, Chairman

ROLL CALL

JUDICIARY

COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 1/15/77

[illegible]

STANDING COMMITTEE REPORT

January 17, 1977

MR. PRESIDENT:

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 9

Respectfully report as follows: That SENATE Bill No. 9, the introduced bill, be amended as follows:

1. Amend page 15, section 22, lines 1 through 11.
Strike: section 22 in its entirety
Renumber: all subsequent sections

2. Amend page 16, section ~~22~~²⁴ line 14.
Following: "city"
Insert: ", "
Strike: "or"
Following: "town"
Insert: ", county, or other political subdivision of the state"

3. Amend page 17, section 27, line 11.
Following: "94-8-403,"
Insert: "94-8-413,"

AND AS SO AMENDED, DO PASS.

~~XXXXXX~~
DO PASS

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