

HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
EXECUTIVE SESSION
February 6, 1979

Following the regular meeting the committee went into executive session to take action on pending bills. The meeting was called to order by Chairman Scully at 8:10 a.m. in room 436 of the Capitol Building on Tuesday, February 6, 1979. All members were present except Representative Eudaily, in the hospital.

HOUSE BILL NO. 506:

Representative Lory moved to "table" and the motion carried with the

vote unanimous.

HOUSE BILL NO. 514:

Representative Keyser moved "do pass" and the motion carried with the

vote unanimous. Representative Lory moved to place it on the consent calendar. Representative Roth voted "no" for the consent calendar and it did not carry.

HOUSE BILL NO. 422:

Representative Keedy moved to amend line 1, page 2 as follows:

Strike: "a", and strike "drug" and insert "drugs". The motion carried with the vote unanimous. He also moved to amend page 2, line 2, by striking "to exceed" and inserting "less than 2 years or more than". The motion carried after much discussion. Representative Holmes talked against the motion and voted "no" on the motion. Representative Day also voted "no".

There was discussion about suspension of sentences. Representative Lory moved "do pass as amended". The motion carried with the vote unanimous. The committee moved to attach a statement of intent to the bill.

HOUSE BILL NO. 500:

Representative Lory moved "do pass".

Representative Keedy moved to amend page 2, line 6 by striking "regulation" and inserting "rule". The motion carried with the vote unanimous.

There was much discussion about the section. Representative Lory moved to amend page 2, lines 4, 5 and 6, following: 50-32-101, by striking those lines in their entirety. The motion carried with the vote unanimous. This will negate the first amendment since the section will no longer be there.

The committee moved and voted by unanimous consent to attach a statement of intent to the bill. The motion to pass carried with the vote unanimous.

HOUSE BILL NO. 493:

Representative Lory moved "do pass".
Representative Day talked against
the special exemption this would give. There was general discussion
about this.

Representative Keyser moved to amend
page 2, line 7, following: "February"
to strike "15" and insert "1". The motion carried with the vote
9 to 7.

Representative Keyser moved "do pass
as amended". The motion carried with
Representatives Conroy and Seifert voting "no".

HOUSE BILL NO. 475:

Representative Holmes moved "do pass".
There was discussion about the rate
of interest. The question was called and the motion carried with
Representative Conroy voting "no".

HOUSE BILL NO. 464:

Representative Keyser moved "do pass".
Representative Lory moved a substitute
motion "do not pass".

Representative Kemmis moved to amend
the new subsection. He withdrew the
motion. Representative Lory withdrew his motion and moved to send
it to a subcommittee. Representative Kemmis moved to amend on lines
19, 23, and on page 2, line 1 and line 4. (copy attached) The
motion carried with the vote unanimous. Representative Kemmis
suggested a new subsection. Representative Roth moved the amendment
and the motion carried with the vote unanimous. (copy attached)

Representative Lory moved "do pass
as amended" and the motion carried
with the vote unanimous.

HOUSE BILL NO. 456:

Representative Lory moved "do pass".
Representative Scully explained the
reasoning behind the introduction of the bill and the issue of the
period of time the commissioner can serve.

Representative Daily moved to postpone
consideration until another bill of
similar content comes to the committee. The motion carried with
Representative Rosenthal voting "no".

HOUSE BILLS NO. 368 and 390:

Report from the sub-committee. Rep-
resentative Kemmis said the members
had decided the best way to handle them was to continue to keep them

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separate, and deal with each bill by itself.

HOUSE BILL NO. 368:

Representative Kemmis moved to amend.

He presented the committee with copies of the prepared amendments. The motion carried with the vote unanimous. Representative Kemmis moved a new section one. The motion carried with the vote unanimous. (copy attached)

Representative Kemmis moved to amend the title, and the motion carried

with Representative Conroy voting "no".

Representative Uhde moved to amend page 1, line 11 and line 13 by striking

"person" and "any". There was disagreement and much discussion and Representative Uhde withdrew his motion.

The question was called and the "do pass as amended" carried with the vote 10 to 7 on a roll call vote. Representative Pavlovich did not vote. He was carrying a bill in another committee.

HOUSE BILL NO. 390:

Representative Kemmis presented the prepared amendments from the sub-committee. There was discussion about the amendments. The motion to adopt the amendments was made by Representative Kemmis and the motion carried with the vote unanimous.

Representative Teague moved "do pass as amended". The motion carried with Representatives Conroy, Seifert, Uhde, Keedy, Kemmis and Holmes voting "no". Representative Rosenthal did not vote because he said he was still undecided about the bill.

HOUSE BILL NO. 447:

Representative Seifert moved "do not pass". Representative Lory offered a substitute motion to "postpone until the 47th day". The motion carried with the vote unanimous.

HOUSE BILL NO. 355:

Representative Scully explained the status of the bill since the 3 sections had been repealed by a code bill, 27-1-815, 27-1-816, and 27-1-817. The section being amended is 27-1-814.

Representative Keyser moved the committee draft a committee bill and incorporate the repealed sections and add the new section, which is the substance of House Bill No. 355. The motion carried with Representative Kemmis voting "no".

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HOUSE BILL NO. 345:

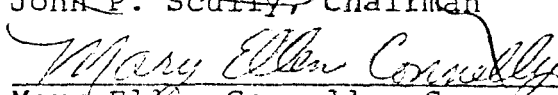
Representative Keedy moved to adopt prepared amendments. Representative Iverson moved "do not pass". The motion carried on a roll call vote of 10 to 7.

HOUSE BILL NO. 335:

Representative Seifert moved "do pass". The motion carried with the vote unanimous.

There was no further discussion and no further action on pending bills.
The meeting adjourned at 10:20 a.m.


John P. Scully, Chairman


Mary Ellen Connelly, Secretary