

HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
EXECUTIVE SESSION
February 12, 1979

Following the regular meeting the Judiciary Committee went into executive session to take action on bills pending. The meeting was called to order by Chairman Scully at 9:05 a.m. in room 436 of the Capitol Building. All members were present except Representative Daily.

HOUSE BILL NO. 541: Representative Keyser moved "do pass" and Representative Eudaily moved a substitute motion of "do not pass". The motion carried by a roll call vote of 9 to 7.

HOUSE BILL NO. 549: Representative Keyser moved "do pass". The motion carried with the vote unanimous.

HOUSE BILL NO. 560: It was decided to hold this bill until Thursday to gather more information.

HOUSE BILL NO. 562: Prepared amendments were presented to the committee. Representative Rosenthal moved "do not pass". He spoke to his motion and said he was concerned about the harassment of the recipients. Other members voiced this same concern. The motion carried with the vote unanimous.

HOUSE BILL NO. 456: Representative Eudaily moved to amend the title, line 9. Strike "AND PROVIDING AN EFFECTIVE DATE." The motion carried with the vote unanimous. Representative Eudaily moved "do pass as amended". The motion carried with a roll call vote of 13 yes and 4 no and 2 absent.

HOUSE BILL NO. 568: Representative Seifert moved "do pass". Representative Conroy moved to amend page 1, line 23, following: "~~dollars~~" strike "Four dollars" and insert "one-half". The motion carried with Representative Day voting "no".

Representative Scully went over the revenue figures and explained them in detail. He said this is a permissive bill to earmark funds. This sets up an ear-marked account to appropriate money.

Representative Lory moved to amend page 6, line 26, and insert a new sentence. (copy attached) The motion carried with Representative Keedy voting "no". Representative Holmes moved "do pass as amended". The motion carried with a roll call vote of 9 to 8.

HOUSE BILL NO. 569: Representative Scully explained the types of defense. Representative Keyser moved "do pass". The motion carried with Representatives Holmes, Uhde and Eudaily voting "no".

HOUSE BILL NO. 580: Representative Day moved "do not pass". Representative Uhde moved a substitute motion of "do pass". The motion carried with Representatives Day and Holmes voting "no".

HOUSE BILL NO. 602: Representative Lory moved "do pass". The motion carried with Representative Uhde voting "no".

HOUSE BILL NO. 603: Representative Lory moved "do pass". The motion carried with the vote unanimous.

HOUSE BILL NO. 608: Representative Holmes moved to amend page 1, line 23, by inserting "with the exception of Marijauna and THC". The motion carried with the vote unanimous. It was decided that THC must be spelled out.

Representatives Daily and Kemmis came in at 10:30.

Representative Holmes moved to add Peyote and Mescaline to the amendment.

The motion failed.

There was general discussion about the types of drugs. Representative Lory said that THC is the chemical named for the active ingredient in Marijauana and also Hashish. Discussion about the chemical properties of these types of drugs.

Representative Day moved "do pass as amended". The motion carried with Representative Holmes voting "no".

HOUSE BILL NO. 609: Representative Keyser moved "do pass". Representative Curtiss moved to amend. (copy attached) The motion carried with the vote unanimous.

Representative Keyser moved "do pass as amended". The motion carried with Representatives Eudaily, Kemmis, Holmes, Lory and Day voting "no".

HOUSE BILL NO. 611: Representative Day moved to amend the 90 days to 10 day. Representative Keyser offered a substitute motion of 60 days. Representative Day moved a substitute motion of 30 days. The motion carried with Representative Keedy voting "no". Representative Day moved "do pass

as amended. Representative Uhde suggested that the fine be mandatory and the jail sentence at the discretion of the judge. There was general discussion about making the jail sentence mandatory.

Representative Curtiss moved to amend page 1, line 15, by striking "may" and inserting "shall". The motion carried with Representative Holmes voting "no". Then followed discussion about what Representative Gould actually wanted the bill to do. Representative Scully went to ask what the intent was to be. Mr. Gould wants the fine mandatory and the jail sentence discretionary.

Representative Curtiss moved to amend the title by striking "shall" and inserting "may". The motion carried.

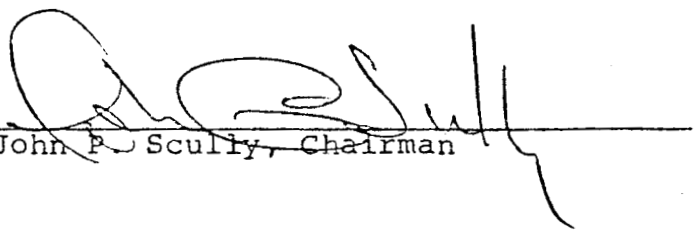
Representative Keyser moved "do pass as amended". The motion carried with the vote unanimous.

HOUSE BILL NO. 461:

The committee voted to send a letter as to their recommendation.

adjourned at 11:25 a.m.

There was no further business to come before the committee and the meeting


John P. Scully, Chairman