

HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
April 3, 1979

A meeting was called of the House Judiciary Committee at 1:15 p.m. in room 436 of the Capitol Building on Tuesday, April 3. All members were present except Representatives Iverson, Rosenthal and Roth.

The meeting was called to discuss the Senate Bill No. 345 which was tabled in committee. Chairman Scully said they would discuss if there was a conflict between this bill and Representative Keedys bill, 877, which deals with the same subject. Senator Towe has asked that we bring it out of committee to the floor.

Representative Teague moved to leave the bill tabled.

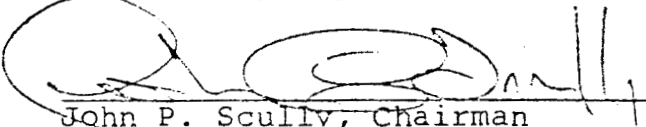
Representative Keedy was asked about the status of his bill. Mr. Keedy said that you would have to have a crystal ball to know what will happen to 877. The Governor will veto the bill when it gets to his desk. He said that doing anything with 345 would just perpetuate the conflict. My bill would not allow it on the grounds of mental disease or defect, it would eliminate the defense as it relates to guilt. The Towe bill would reintroduce the question of mental condition for sentencing problems. He wants to give the judge the option to sentence to Deer Lodge, or Warm Springs just so he would get treatment. The Keedy bill would throw it out unless it could be shown that there was intent in the first place.

Representative Keyser asked, what does your bill do with this section, pointing at a portion of the bill. Mr. Keedy answered that it is a much narrower form of inquiry.

Representative Kemmis asked if you could amend this section by changing it to something else. It retains this kind of acquittal. Then the question is, for example, do we want to correct some of the problems they have at Warm Springs, such as a hearing within 50 days. I am not sure that I see what harm there is in passing this bill.

There was more general discussion and the question was called. The bill will remain tabled with Representatives Holmes, Kemmis, Eudaily, Scully and Lory voting against.

The meeting adjourned at 1:30 p.m.



John P. Scully, Chairman