

MINUTES OF MEETING
SENATE JUDICIARY COMMITTEE
February 11, 1981

The twenty-fifth meeting of the Senate Judiciary Committee was called to order by Senator Bob Brown, in the absence of both the Chairman and the Vice-chairman on the above date in Room 331, at 10:00 a.m.

ROLL CALL:

All members were present.

FURTHER CONSIDERATION OF SENATE BILL 33:

David Niss continued in his explanation for the changes being suggested in the portions of the bill to which he had been assigned.

Senator Mazurek raised the question in Section 97 on page 86, line 23, that the deletion should not have been made. He then moved that in Section 99, on page 87, line 13, following "of", the words ", member of the family of" be inserted. His motion carried unanimously.

Senator S. Brown moved that in Section 100, on page 88, line 24, following "allowed", David Niss bring back a proper amendment inserting the correct language to limit the number of peremptory challenges, in cases when a jury of more than six but fewer than twelve is agreed to. Senator Crippen was the only opposing vote to this amendment.

Senator Mazurek moved that in Section 103, on page 91, 25-8-102 be returned to its original language. This motion passed unanimously. He then moved that Section 115 on page 97 be stricken in its entirety. This motion passed unanimously.

On page 98, line 16, Senator Crippen moved that the wording "ministers of the gospel" be reinstated in place of the new language, as this represented, in his opinion, a substantive change. Senator S. Brown offered a substitute motion that Section 116 be stricken from the bill in its entirety, and this motion passed unanimously.

DISPOSITION OF SENATE BILL 216:

Senator Crippen moved that the bill DO PASS, and his motion carried unanimously.

DISPOSITION OF SENATE BILL 342:

Senator S. Brown moved that the bill DO PASS, and his motion carried unanimously.

DISPOSITION OF SENATE BILL 309:

Senator Mazurek moved that line 18 be amended by striking "or" and inserting "and", and his motion passed unanimously. Senator S. Brown then moved that the bill DO PASS AS AMENDED, and his motion carried unanimously.

DISPOSITION OF SENATE BILL 312:

Senator Berg moved that the bill DO PASS, and his motion carried unanimously.

DISPOSITION OF SENATE BILL 311:

Senator Crippen stated that the Human Rights Commission must stop its "hitlerism" type investigating, and that if the Commission is allowed to continue they must be made aware of this. He felt that the Commission takes the position that as a matter of public policy there has to be a determination against the employer in order to justify the system.

Senator S. Brown moved that the bill DO PASS, and as shown on the attached roll call vote, the motion passed with five members voting for, four members voting against, and one member abstaining.

DISPOSAL OF SENATE BILL 227:

Senator B. Brown moved that the bill pass.

Senator Mazurek questioned whether the bill would outlaw shopping mall game machines; Senator Olson felt it would not. Senator O'Hara felt that much bad and very little good came of the machines, and said that he would have to vote his conscience. Senator Halligan stated that even though he had cosponsored the bill, he now has great misgiving over it after weighing the evidence heard on Monday. Senator Tveit said that, having been involved in many fraternal organizations for many years, and having seen what the money goes for, he would oppose the bill. Senator B. Brown, summarizing his feelings on the bill, stressed again that poker machines are not card games; that protecting the investments of people who had acted on a confusing opinion from the Attorney General was not the job of the legislature; and that if the bill did not pass there would be machines all over the state and no policy to govern them.

A roll call vote revealed a tie, as shown on the attached roll call vote form.

DISPOSAL OF SENATE BILL 57:

Senator Mazurek moved that subsection (e) on page 2 be deleted, and, and his motion passed unanimously.

Senator S. Brown moved to amend the title on line 8 following "of" by deleting "expanding"; and again in the title on line 7 following "by" by inserting "expanding". This motion carried over the opposing votes cast by Senators Crippen and Anderson.

Senator Halligan moved that the bill DO PASS AS AMENDED, and the motion carried.

The committee then discussed further treatment of SB 33, and Chairman Anderson scheduled Monday and Tuesday nights, February 16 and 17, at 7:30 p.m., for further discussion on the part of interested committee members.

A handwritten signature in cursive script, appearing to read "Mark Anderson", is written over a horizontal line.

Senator Anderson
Chairman, Judiciary Committee

ROLL CALL

JUDICIARY COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 2/11/81

NAME	PRES ENT	ABSENT	EXCUSED
Anderson, Mike, Chr. (R)	✓		
O'Hara, Jesse A. (R)	✓		
Olson, S. A. (R)	✓		
Brown, Bob (R)	✓		
Crippen, Bruce D. (R)	✓		
Tveit, Larry J. (R)	✓		
Brown, Steve (D)	✓		
Berg, Harry K. (D)	✓		
Mazurek, Joseph P. (D)	✓		
Halligan, Michael (D)	✓		

Each day attach to minutes.

DATE _____

February 11, 1981

COMMITTEE ON

JUDICIARY

SB 33

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

STANDING COMMITTEE REPORT

February 11, 1981

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 57

Respectfully report as follows: That SENATE Bill No. 57
be amended as follows:

1. Title, line 7.
Following: "BY"
Insert: "EXPANDING"
2. Title, line 8.
Following: "OF"
Strike: "EXPANDING"
3. Page 2, line 13 through line 18.
Strike: subsection (e) in its entirety

And, as so amended,
DO PASS

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STANDING COMMITTEE REPORT

February 11, 19⁸¹

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 309

Respectfully report as follows: That SENATE Bill No. 309
be amended as follows:

1. Line 18.
Following: "board"
Strike: "or"
Insert: "and"

And, as so amended,
DO PASS

STANDING COMMITTEE REPORT

February 11, 1931

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 342

Respectfully report as follows: That SENATE Bill No. 342

DO PASS

Hike Anderson Chairman.

STANDING COMMITTEE REPORT

February 11, 1931

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 216

Respectfully report as follows: That SENATE Bill No. 216

DO PASS

P.A.

STANDING COMMITTEE REPORT

February 11th 81

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 312

Respectfully report as follows: That SENATE Bill No. 312

DO PASS

P.A.

STANDING COMMITTEE REPORT

.....February 11, 19 81.....

MR. PRESIDENT.....

We, your committee on JUDICIARY.....

having had under considerationSENATE Bill No. 311.....

Respectfully report as follows: That.....SENATE Bill No. 311.....

DO PASS

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SENATE COMMITTEE JUDICIARY

Date February 11, 1981 SB Bill No. 311 Time 11:40 a.m.

NAME	YES	NO
Anderson, Mike		✓
O'Hara, Jesse A.		✓
Olson, S. A.		✓
Brown, Bob		
Crippen, Bruce D.	✓	
Tveit, Larry J.		✓
Brown, Steve	✓	
Berg, Harry K.	✓	
Mazurek, Joseph P.	✓	
Halligan, Michael	✓	

Robin Campbell
Secretary

Mike Anderson
Chairman

Motion: Senator S. Brown's motion that the bill receive a DO PASS.

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE JUDICIARY

Date February 11, 1981 S.B. Bill No. 227 Time _____

NAME	YES	NO
Anderson, Mike		✓
O'Hara, Jesse A.	✓	
Olson, S. A.		✓
Brown, Bob	✓	
Crippen, Bruce D.	✓	
Tveit, Larry J.		✓
Brown, Steve	✓	
Berg, Harry K.		✓
Mazurek, Joseph P.	✓	
Halligan, Michael		✓

Robin Campbell
Secretary

Mike Anderson
Chairman

Motion: Senator B. Brown's motion that the bill receive a DO PASS.

(include enough information on motion--put with yellow copy of committee report.)