

HOUSE COMMITTEE ON JUDICIARY - March 15, 1993 Hearing Room 357
1:30 p.m. Tape 16 MEMBERS PRESENT: Rep. Del Parks, Chair Rep.
Ken Baker Rep. Tom Brian Rep. Kate Brown Rep. Peter Courtney Rep. Veral
Tarno EXCUSED MEMBERS: Rep. Tom Mason, Vice Chair Rep. Jim Edmunson
Rep. Bob Tiernan STAFF PRESENT: Holly Robinson, Committee Counsel
Carole Souvenir, Committee Counsel Bryan Boehringer, Committee Clerk
MEASURES CONSIDERED: HB 2011 - Relating to crimes involving motor
vehicles HB 2144 - Relating to juveniles HB 2287 - Relating to support
enforcement HB 2223 - Relating to evidence HB 254S - Relating to crime
HB 2838 - Relating to minimum care of animals HB 2851 - Relating to the
landlord and tenant law HB 2915 - Relating to motor vehicle insurance

These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in quotation
marks report a speaker's exact words. For complete contents of the
proceedings, please refer to the tapes. . TAPE 16, SIDE A

018 CHAIR PARKS: Calls meeting to order at 1:40 p.m.

MOTION: CHAIR PARKS: Moves the committee introduce LC 3819 and LC
3820. ~/

VOTE: CHAIR PARKS: Hearing no objection the motion CARRIES. Edmunson,
Mason, and Tiernan are excused.

WORK SESSION ON HB 2011

040 HOLLY ROBINSON, COMMITTEE COUNSEL: Explains the bill. The bill
enhances penalties for the crime of robbery when the object of the theft
is a motor vehicle. House Committee on Judiciary M6rch 1S, 1991- Page 2

050 MOTION: REP. COURTNEY: Moves HB 2011 to the committee on Ways
and Means with a DO PASS recommendation. VOTE: 6-0 Motion passes AYE:
Baker, Brian, Brown, Courtney, Tarno, Parks NO: None EXCUSED: Edmunson,
Mason, Tiernan

WORK SESSION ON HB 2144

060 HOLLY ROBINSON, COMMITTEE COUNSEL: Explains the bill. The bill
allows the juvenile court to enter an order requiring an alleged abuser
to move from the child's residence and restraining the alleged abuser
from having any contact with the child in the household. There are -2
amendments that need to be adopted.

074 MOTION: REP. BRTAN: Moves to ADOPT the HB 21442 amendments.

076 REP. BROWN: Asks about the content of the amendments.

VOTE: CHAIR PARKS: Hearing no objection, the amendments are ADOPTED.
Edmunson, Mason, and Tiernan are excused.

090 MOTION: REP. BRIAN: Moves HB 2144, AS AMENDED, to the Floor with
a DO PASS recommendation. VOTE: 6-0 Motion passes AYE: Baker, Brian,
Brown, Courtney, Tarno, Parks NO: None EXCUSED: Edmunson, Mason, Tiernan
REP. BRIAN will lead discussion on the Floor.

WORK SESSION ON HB 2287 100 HOLLY ROBINSON, COMMITTEE COUNSEL: Explains
the bill. Consolidates various statutes regarding the attachment of
wages and benefits to satisfy child support obligations. There are 3
amendments.

105 MOTTON: REP. BRIAN: Moves to ADOPT the HB 2287-3 amendments.

VOTE: CHAIR PARKS: Hearing no objection, the amendments are ADOPTED. Edmunson, Mason, and Tiernan are excused.

108 MOTION: REP. BRIAN: Moves HB 2287, AS AMENDED, to the Floor with a DO PASS recommendation. VOTE: 6-0 Motion passes AYE: Baker, Brian, Brown, Courtney, Tarno, Parks Nouse Comm; - e on Judiciary March 15, 1991 Page 3

NO: None EXCUSED: Edmunson, Mason, Tiernan

REP. BAKER will lead discussion on the Floor.

WORK SESSION ON HB 2223

117 HOLLY ROBINSON, COMMLITEE COUNSEL: Explains the bill. The bill allows evidence that was lawfully recorded on inmate phone calls by corrections officials, and on phone calls by persons detained in county jails, police stations, or sheriffs' offices by law enforcement public officials to be admissible in court proceedings when the participants in the conversation had actual knowledge of the recording.

130 MOTION: REP. TARNO: Moves HB 2223 to the Floor with a DO PASS recommendation. 134REP. BROWN: Expresses concerns with the bill. 141 REP. BAKER: Expresses concerns with the bill.

142 REP. TARNO: Withdraws his previous motion.

WORK SESSTON ON HB 2545

146 HOLLY ROBINSON, COMMITTEE COUNSEL: Explains the bill. The bill adds Sexual Abuse I to certain evidence, criminal procedure, and occupational qualification statutes. There are -2 amendments.

154 MOTION: REP. TARNO: Moves to ADOPT the HB 2545-2 amendments.

VOTE: CHAIR PARKS: Hearing no objection, the amendments are ADOPTED. Edmunson, Mason, and Tiernan are excused.

158 HOLLY ROBINSON, COMMITTEE COUNSEL: Explains that there is no Fiscal impact on this bill.

163 MOTION: REP. TARNO: Moves HB 2545, AS AMENDED, to the Floor with a DO PASS recommendation. VOTE: 6-0 Motion passes AYE: Baker, Brian, Brown, Courtney, Tarno, Parks NO: None EXCUSED: Edmunson, Mason, Tiernan REP. TARNO will lead discussion on the Floor.

WORK SESSION ON HB 2838 House Committee on Judiciary, March 15, 1991Page 4

179 CAROLE SOUVENIR, COMMITTEE COUNSEL: Explains the bill. The bill allows a peace officer to enter a premises in order to water an animal if the animal has been confined for more than 24 hours without minimum care. There are -1 amendments.

174 MOTION: REP. BRIAN: Moves to ADOPT the HB 2838-1 amendments.

VOTE: CHAIR PARKS: Hearing no objection, the amendments are ADOPTED.
Edmunson, Mason, and Tiernan are excused.

177 MOTION: REP. BROWN: Moves HB 2838, AS AMENDED, to the Floor with
a DO PASS recommendation. VOTE: 6-0 Motion passes AYE: Baker, Brian,
Brown, Courtney, Tarno, Parks NO: None EXCUSED: Edmunson, Mason, Tiernan
CHAIR PARKS will lead discussion on the Floor.

WORK SESSION ON HB 2851

218 MOTION: REP. BRIAN: Moves that HB 2851 be returned to the
Speaker's desk with a letter requesting that the bill be referred to the
Committee on Commerce WITHOUT RECOMMENDATION as to its passage.

221 CHAIR PARKS: Explains why the bill is being rerouted to the
Commerce committee. VOTE: CHAIR PARKS: Hearing no objection, HB 2851 is
referred to the committee on Commerce. Edmunson, Mason, and Tiernan are
excused.

WORK SESSION ON HB 2915

248 REP. BRIAN: Discusses a constitutional problem with the amendment.

250 MOTION: REP. BRIAN: Moves that HB 2915 be referred back to the
subcommittee on Civil Law and Judicial Administration. VOTE: CHAIR
PARKS: Hearing no objection, HB 2915 is referred back to the
subcommittee on Civil Law and Judicial Administration. Edmunson, Mason,
and Tiernan are excused. 260 CHAIR PARKS: HB 2223 will be set over
for one week.

267 CHAIR PARKS: Makes some comments on the Senate's passage of SB 286.

293 REP. TARNO: Asks to readdress HB 2223. 295 CHAIR PARKS: Allows
time for discussion of HB 2223. House Comm; - e on Judieby M6rch 1S,
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297 REP. TARNO: Discusses the legality of phone tapping in the prisons
and the usage of this evidence in a court of law. 310 CHAIR PARKS:
Explains why the vote on the bill was postponed for a week. 320 REP.
COURTNEY: Discusses possible voting outcomes. 329 CHAIR PARKS: Asks
that the committee wait for full attendance, before voting on the bill.
349 CHAIR PARKS: Adjourns the meeting at 2:02 p.m.

Submitted by:

Reviewed by:

Bryan Boehringer
Coordinator

Anne May Committee Clerk

Committee

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made during this session Only text enclosed in quot tion marks repoa a
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refer to the tapes