

HOUSE JUDICIARY SUBCOMMITTEE
ON CRIMINAL LAW

June 16, 2005 Hearing Room 357

8:30 A.M. Tapes 78

Corrected 10/12/05

MEMBERS PRESENT: Rep. Jeff Barker, Chair

Rep. Greg Macpherson

Rep. Andy Olson

Rep. Kim Thatcher

STAFF PRESENT: Heidi Moawad, Counsel

Elizabeth Howe, Committee Assistant

MEASURES/ISSUES HEARD:

SB 153 – Work Session

SB 392 – Public Hearing and Work Session

HB 3491 – Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 78, A

004 Chair Barker Calls the meeting to order at 8:40 a.m. Opens a work session on SB 153, which requires each city operating a photo red light camera or photo radar system to present biennial report to Legislative Assembly.

SB 153 – WORK SESSION

007 Rep. Olson **MOTION: Moves SB 153 to the full committee WITHOUT RECOMMENDATION as to passage.**

VOTE: 4-0-0

AYE: In a roll call vote, all members present vote Aye.

013 Chair Barker **The motion CARRIES.**

REP. BARKER will lead discussion in the full committee.

015 Chair Barker Closes work session on SB 153. Opens a public hearing on SB 392.

SB 392 – PUBLIC HEARING

018 Joe O’Leary Counsel. Provides background on SB 392, which provides that if person slays other person, property that would have passed from heir or devisee of decedent to slayer, whether by intestate succession, by will or by trust, passes and vests as if slayer had predeceased decedent unless heir or devisee specifically provides otherwise by will or other instrument executed after death of decedent.

034 Rep. Olson Comments on incentive for suspect to not be involved in a criminal act.

036 Chair Barker Relates case that uncovered the loophole.

040 Rep. Macpherson Notes the exception that a person’s written will supersedes the rule.

055 Rep. Thatcher Inquires if law only applies if there is an intervening life.

059 Chair Barker Responds that the slayer would not receive life insurance money; rather, it would pass to the children.

061 Chair Barker Closes the public hearing on SB 392 and opens a work session.

HB 392 – WORK SESSION

063 Rep. Macpherson **MOTION: Moves SB 392 to the full committee with a DO PASS recommendation.**

VOTE: 4-0-0

AYE: In a roll call vote, all members present vote Aye.

068 Chair Barker **The motion CARRIES.**
REP. MACPHERSON will lead discussion in the full committee.

070 Chair Barker Closes work session on SB 392. Opens a work session on HB 3491.

HB 3491 – WORK SESSION

072 Joe O’Leary Counsel. Provides background on HB 3491, which creates crime of disorderly conduct in first degree. Introduces the -1 amendment **(EXHIBIT A)**.

088 Rep. Thatcher Inquires if the original bill still holds for those who are not youths.

091 O’Leary Responds negatively, that the amendment applies to all ages.

096 Rep. Macpherson Expresses support of the amendment.

106 Rep. Macpherson **MOTION: Moves to ADOPT HB 3491-1 amendments dated 6/14/05.**

VOTE: 4-0-0

108 Chair Barker **Hearing no objection, declares the motion CARRIED.**

109 Rep. Macpherson **MOTION: Moves HB 3491 to the full committee with a DO PASS AS AMENDED recommendation.**

VOTE: 4-0-0

AYE: In a roll call vote, all members present vote Aye.

112 Chair Barker

The motion CARRIES.

REP. MACPHERSON will lead discussion in the full committee.

113 Chair Barker

Closes work session on HB 3491. Adjourns the meeting at 8:50 a.m.

EXHIBIT SUMMARY

A. HB 3491, -1 amendments, staff, 3 pp