

HOUSE COMMITTEE ON JUDICIARY

April 18, 2001
5:00 p.m.

Hearing Room 357
Tapes 39 - 40

MEMBERS PRESENT: Rep. Max Williams, Chair
 Rep. Wayne Kreiger, Vice Chair
 Rep. Kathy Lowe, Vice Chair
 Rep. Robert Ackerman
 Rep. Vic Backlund
 Rep. Jackie Dingfelder
 Rep. Charlie Ringo
 Rep. Lane Shetterly
 Rep. Cheryl Walker
 Rep. Vicki Walker
 Rep. Carl Wilson

STAFF PRESENT: Bill Taylor, Counsel
 Shannon Reed, Committee Assistant

MEASURE/ISSUES	HEARD:	HB 2389	Work Session	HB 3049	Work Session
		HB 2731 Work Session		HB 3019 Work Session	
		HB 3647 Work Session		HB 3682 Work Session	
		HB 3677 Work Session			
		HB 2413 Work Session			
		HB 2930 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
TAPE 39, A		
006	Chair Williams	Calls the meeting to order at 5:11 p.m. and opens a work session on HB 2389.
<u>HB 2389 WORK SESSION</u>		
008	Counsel Shartel	Explains HB 2389 relating to liability to unlawful expenditures.
021	Rep. Lowe	MOTION: Moves HB 2389 to the floor with a DO PASS recommendation. VOTE: 8-0-3 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 3 - Dingfelder, Shetterly, V. Walker
050	Chair Williams	The motion CARRIES. Rep. Ringo will lead discussion on the floor.
055	Chair Williams	Closes the work session on HB 2389 and opens the work session on HB 2731.
<u>HB 2731 WORK SESSION</u>		
061	Rep. Backlund	Explains HB 2731 which relates to limiting liability to farming

		and forestry practices.
082	Rep. Ackerman	Expresses concern over the claims of serious physical injury.
121	Rep. Shetterly	Discusses population growth and that these limits are important to protect the farming communities.
139	Rep. Krieger	Comments on his personal experience as a woodland owner.
169	Rep. Backlund	MOTION: Moves HB 2731 to the floor with a DO PASS recommendation.
		VOTE: 8-2-1
		AYE: 8 - Backlund, Dingfelder, Krieger, Lowe, Shetterly, Walker C, Wilson, Williams
		NAY: 2 - Ackerman, Ringo
		EXCUSED: 1 - Walker V
187	Chair Williams	The motion CARRIES.
		Rep. Backlund will lead the discussion on the floor.
189	Chair Williams	Closes the work session on HB 2731 and opens the work session on HB 3647.
		<u>HB 3647 WORK SESSION</u>
200	Counsel Shartel	Explains HB 3647 relating to the establishment of school hotlines and the –1 amendments (EXHIBIT A).
210	Rep. Ringo	Comments in support of measure as a needed tool for students.
232	Rep. Ackerman	Says if it is mandatory to set up this system, then there would be a fiscal impact.
251	Counsel Shartel	Says that it authorizes schools to apply for grants.
265	Rep. Cherryl Walker	Says that grant funding was the intention of the drafters, and it is not meant to be a general fund item.
297	Rep. Ringo	MOTION: Moves to ADOPT HB 3647-1 amendments dated 4/18/01.
		VOTE: 11-0-0
328	Chair Williams	Hearing no objection, declares the motion CARRIED.
330	Rep. Ringo	MOTION: Moves HB 3647 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 11-0-0
338	Chair Williams	Hearing no objection, declares the motion CARRIED.
353	Chair Williams	Closes the work session on HB 3647 and opens the work session on HB 3677.
		<u>HB 3677 WORK SESSION</u>
357	Chair Williams	Discusses HB 3677 and the –1 amendments relating to judicial interpretation of statutes (EXHIBIT B).
417	Rep. Shetterly	Comments on legislative history of statutes.
TAPE 40, A 009	Rep. Shetterly	MOTION: Moves to ADOPT HB 3677-1 amendments dated 4/17/01.
		VOTE: 11-0
011	Chair Williams	Hearing no objection, declares the motion CARRIED.
019	Rep. Shetterly	MOTION: Moves HB 3677 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 11-0-0
059	Chair Williams	Hearing no objection, declares the motion CARRIED.

Rep. Williams will lead the discussion on the floor.

062 Chair Williams Closes the work session on HB 3677 and opens a work session on HB 2413.

HB 2413 WORK SESSION

064 Counsel Taylor Explains HB 2413 relating to obscene material and minors.
074 Rep. Shetterly Clarifies the language “furnish” versus “sell” and says that this is a short term fix with a broader review to be conducted during the interim.

164 Rep. Shetterly **MOTION: Moves HB 2413 to the floor with a DO PASS recommendation.**

169 Chair Williams **VOTE: 11-0-0**
Hearing no objection, declares the motion CARRIED.
Rep. Shetterly will lead discussion on the floor.

176 Chair Williams Closes the work session on HB 2413 and opens the work session on HB 2930.

HB 2930 WORK SESSION

179 Counsel Taylor Explains HB 2930 and the –5 and –6 amendments relating to cockfighting (**EXHIBITS C and D**).

200 Chair Williams Discusses the issues brought out in the sub-committee for the full committee members.

261 Rep. Williams **MOTION: Moves to ADOPT HB 2930-5 amendments dated 4/16/01 with a correction noted.**

262 Chair Williams **VOTE: 11-0-0**
Hearing no objection, declares the motion CARRIED.

276 Rep. Williams **MOTION: Moves to ADOPT HB 2930-6 amendments dated 4/16/01.**

279 Chair Williams **VOTE: 11-0**
Hearing no objection, declares the motion CARRIED.

280 Rep. Wilson Comments against the bill regarding the cultural aspects of the sport and the livelihood of bird breeders.

349 Rep. Krieger Comments in support of the bill in committee but may not support it on the floor.

388 Rep. C. Walker Comments on the personal experience with cockfighting and with the breeding of the birds.

430 Rep. Ringo Expresses concern about inflicting pain on animals.

TAPE 39, B

005 Rep. Dingfelder Expresses support for the passage of the bill.

020 Rep. V. Walker Says that cockfighting is immoral.

062 Rep. Williams **MOTION: Moves HB 2930 to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.**

074 Chair Williams **VOTE: 11-0-0**
Hearing no objection, declares the motion CARRIED.

075 Rep. Williams **MOTION: Moves HB 2930 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 10-1-0
AYE: 10 - Ackerman, Backlund, Dingfelder, Krieger, Lowe, Ringo, Shetterly, Walker C, Walker V, Williams

084 Chair Williams NAY: 1 - Wilson
The motion CARRIES.
Rep. Cheryl Walker will lead the discussion on the floor.

092 Chair Williams Closes the work session on HB 2930 and opens the work session on HB 3049.

HB 3049 WORK SESSION

093 Counsel Taylor Explains HB 3049 relating to employment of inmates.
114 Rep. Krieger MOTION: Moves HB 3049 to the floor with a DO PASS recommendation.
VOTE: 11-0

117 Chair Williams Hearing no objection, declares the motion CARRIED.
Rep. Krieger to lead the discussion on the floor.

120 Chair Williams Closes the work session on HB 3049 and opens the work session of HB 3109.

HB 3109 WORK SESSION

122 Counsel Taylor Explains HB 3109 and the –4 amendments, which were adopted in subcommittee, relating to arson in the first degree (EXHIBIT F).

191 Rep. Dingfelder Asks about the damage figures in the amendments.
194 Counsel Taylor Says that this amount was a compromise with the work group that developed with bill.

210 Rep. Ringo Says he will not support the bill as a protest.
248 Rep. Dingfelder Asks if this could wait until the interim when the arson statute will be examined.

254 Chair Williams Says that all the participants of the interim work group have agreed to this

266 Rep. Lowe MOTION: Moves HB 3109 to the floor with a DO PASS AS AMENDED recommendation.
VOTE: 10-1-0
AYE: 10 - Ackerman, Backlund, Dingfelder, Krieger, Lowe, Shetterly, Walker C, Walker V, Wilson, Williams
NAY: 1 - Ringo

279 Chair Williams The motion CARRIES.
Rep. V. Walker will lead the discussion on the floor.

282 Chair Williams Closes the work session on HB 3109 and opens the work session on HB 3682.

HB 3682 WORK SESSION

284 Counsel Taylor Explains HB 3682 concerning improper repair of vehicle inflatable restraint system.

301 Rep. Wilson Comments on failure to comply with federal guidelines..
341 Rep. Wilson MOTION: Moves HB 3682 to the floor with a DO PASS recommendation.
VOTE: 11-0-0

346 Chair Williams Hearing no objection, declares the motion CARRIED.
REP. WILSON will lead discussion on the floor.

348 Chair Williams Closes the work session on HB 3682 and adjourns the meeting at 6:28 p.m.

Submitted By,

Reviewed By,

Shannon Reed
Committee Assistant

Bill Taylor,
Counsel

EXHIBIT SUMMARY

- A – HB 3647, -1 amendments, submitted by staff, dated 4/18/01, 1 pg.**
- B – HB 3677, -1 amendments, submitted by staff, dated 4/17/01, 1 pg.**
- C – HB 2930, -5 amendments, submitted by staff, dated 4/16/01, 2 pgs.**
- D – HB 2930, -6 amendments, submitted by staff, dated 4/16/01, 1 pg.**
- E – HB 2930, written testimony submitted by Phil Busse, dated 4/18/01, 7 pgs.**
- F – HB 3109, -4 amendments, submitted by staff, dated, 4/13/01, 1 pg.**