

SENATE COMMITTEE ON
RULES AND ELECTIONS

Hearing Room
Tape

MEMBERS PRESENT:

Sen. Randy Miller, Chair
Sen. Brady Adams
Sen. Gordon Smith

MEMBER EXCUSED:

Sen. Paul Phillips, Vice-Chair
Sen. Shirley Gold
Sen. Dick Springer

STAFF PRESENT:

Kristina McNitt, Committee Administrator
Gretchen Haber, Committee Assistant

MEASURES HEARD:

SJR41: Work Session
SB 1120: Work Session

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 , A

003 CHAIR MILLER: called the meeting to order at 3:10 p.m. Reviews agenda.

004 Opens work session on SJR41.

006 REPRESENTATIVE KEVIN MANNIX comments on SJR41-1 amendments (EXHIBIT A).

--All child pornography is obscene

--The amendment clarifies the intent to avoid needless litigation over phraseology

023 SEN. SMITH: asks if Rep. Mannix feels the amendment weakens the bill in any way.

025 REP. MANNIX: answers no. Explains that the Supreme Court has defined child pornography as inherently obscene.

040 SEN. SMITH: clarifies that child pornography is prima facie evidence of obscenity.

045 REP. MANNIX: agrees.

050 SEN. SMITH: clarifies that the measure would only impact material without socially-redeeming values. Notes that The Diary of Anne Frank, for

example, would not be included within the scope of the measure.

055 MOTION: SEN. SMITH: Moves to ADOPT the SJR41-1 amendments dated 5-5-

95.

VOTE: CHAIR MILLER: Hearing no objection the amendments are ADOPTED.
SEN. GOLD, SEN. PHILLIPS and SEN. SPRINGER are EXCUSED.

058 MOTION: SEN. ADAMS: Moves that SJR41, AS AMENDED, be sent to the
Floor with a DO PASS recommendation.

VOTE: CHAIR MILLER: Hearing no objection, the motion CARRIES.
SEN. GOLD, SEN. PHILLIPS and SEN. SPRINGER are EXCUSED.

SEN. SMITH will lead discussion on the Floor.

061 Closes work session on SJR41.

063 Opens work session on SB 1120.

065 REPRESENTATIVE KEVIN MANNIX explains SB 1120-2 amendments (EXHIBIT B)
and SB 1120-4 (EXHIBIT C) amendments.

070 MOTION: CHAIR MILLER: Moves to ADOPT the SB 1120-2 amendments dated
4-11-95.

VOTE: CHAIR MILLER: Hearing no objection the amendments are ADOPTED.
SEN. GOLD, SEN. PHILLIPS and SEN. SPRINGER are EXCUSED.

080 MOTION: CHAIR MILLER: Moves to ADOPT the SB 1120-4 amendments dated
5-5-95.

VOTE: CHAIR MILLER: Hearing no objection the amendments are ADOPTED.
SEN. GOLD, SEN. PHILLIPS and SEN. SPRINGER are EXCUSED.

082 MOTION: SEN. ADAMS: Moves that SB 1120, AS AMENDED, be sent to the
Floor with a DO PASS recommendation.

VOTE: CHAIR MILLER: Hearing no objection, the motion CARRIES. SEN.
GOLD, SEN. PHILLIPS and SEN. SPRINGER are EXCUSED.

SEN. SMITH will lead discussion on the Floor.

087 Closes work session on SB 1120.

089 CHAIR MILLER: adjourns meeting at 3:40 p.m.

Submitted by,

Reviewed by,

Gretchen Haber
Committee Assistant

Kristina McNitt
Committee Administrator

EXHIBIT SUMMARY:

- A - Amendments to SJR41 - Rep. Mannix - 1 page
- B - Amendments to SB 1120 - Rep. Mannix - 1 page
- C - Amendments to SB 1120 - Rep. Mannix - 1 page