

HOUSE COMMITTEE ON JUDICIARY

Ma, 14, 1991 Hearing Room 357 1:00 p.m. Tapes 44 - 45
MEMBERS PRESENT: Rep. Randy Miller, Chair Rep. Tom Mason, Vice Chair
Rep. Ray Baum Rep. Judith Bauman Rep. Marie Bell Rep. Tom Brian Rep. Jim
Edmunson Rep. Rod Johnson Rep. Kevin Mannix Rep. Del Parks Rep. Ron
Sunseri

MEMBER EXCUSED: Rep. Kelly Clarlc STAFF PRESENT: Greg Chaimov,
Committee Counsel Holly Robinson, Committee Counsel Jeff Steve,
Committee Assistant MEASURES HEARD: HB 2846 - Subpoena Duces Tecum
Power to Attorney General (WS) HB 2219 - Occupational Safety Health
Representative (WS) HB 2805 - State Recovery For Indigent
Defense/Criminal (WS) HB 2806 - State Recovery For Indigent
DefensetCivil (WS) HB 3225 - Modifies Definition For Indigence (WS) HJR
60 - Judges Retirement Age (WS) HB 2266 - Contracts To Make Will (WS) HB
2386 - Revises Corporation Law (WS) SB 342 - Notice of Appeal In
Juvenile Cases (WS) SB 980 - Notice Concerning Detention Of Child (WS)
HB 3515 - Child Custody Determinations (WS) . 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 44, SIDE A 004 CHAIR RANDY MILLER: Opens Full Committee at 1:03
p.m.

HB 2846 - ATTORNEY GENERAL/SUBPOENA POWER - WORK SESSION 012 CHAIMOV:
Summarizes HB 2846. 026 MOTION, REP. EDMUNSON: Moves HB 2846 to the
Floor with a "do pass" recommendation. House Comntittee on Judiciary May
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030 VOTE: 9 -0 Motion passes. Rep. Parls to carry.

AYE: Bell, Brian, Edmunson, Johnson, Mannix, Mason, Parlcs, Sunseri,
Miller NO: 0 EXCUSED: Baum, Bauman, Clark

HB 2219 - ASSAULTING PUBLIC SAFETY OFFICER - WORK SESSION

034 CHAIMOV: Summarizes HB 2219. EXHIBIT A 043 MOTION, REP.
EDMUNSON: Moves adoption of HB 2219-3 Amendments. 044 VOTE: No
objection. Motion passes. 045 MOTION, REP. EDMUNSON: Moves HB 2219 as
amended to the Floor with a "do pass" recommendation. 050 VOTE: 9- 1
Motion passes.

AYE: Baum, Bell, Brian, Edmunson, Johnson, Mannix, Parks, Sunseri,
Miller NO: Mason EXCUSED: Bauman, Clarlc HB 2805 - STATE RECOVERY OF
COSI S IN INDIGENT DEFENSE - WORK SESSION

056 CHAIMOV: Summarizes HB 2805. EXHIBIT B 060 MOTION, REP.
MANNIX: Moves adoption of HB 2805-1 Amendments. 061 VOTE: No
objection. Motion passes. 062 MOTION, REP. MANNIX: Moves HB 2805 as
amended to the Floor with a "do pass" recommendation. 069 VOTE: 10 -
0 Motion passes. Rep. Mannix to carry. AYE: Baum, Bell, Brian, Edmunson,
Johnson, Mannix, Mason, Parks, Sunseri, Miller NO: 0 EXCUSED: Bauman,
Clarlc

HB 2806 - RECOVERY OF COSTS/INDIGENT DEFENSE - WORK SESSION 073
CHAIMOV: Summarizes HB 2806. EXHIBIT C

077 MOTION, REP. MANNIX: Moves to adopt HB 2806-1 Amendments. 077
VOTE: No objection. Motion passes. House Committee on Judiciary Miyr 14,
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078 MOTION, REP. MANNIX: Moves HB 2806 as amended to the Floor with a
"do pass. recommendation. 095 VOTE: 11 - 0 Motion passes. Rep. Baum
to carry.

AYE: Baum, Bauman, Bell, Brian, Edmunson, Johnson, Mannix, Mason, Parks,
Sunseri, Miller NO: 0 EXCUSED: Clark HB 3225 - MODIFIES DEFINITION OF
INDIGENCE - WORK SESSION

097 CHAIMOV: Summarizes HB 3225. EXHIBIT D 107 MOTION, REP.
MANNIX: Moves adoption of HB 3225-1 Amendments. 108 MOTION, REP.
MANNIX: Moves HB 3225 as amended to Ways and Means with a "do pass.
recommendation. 128 REP. MANNIX: Changes motion to delete referral to
Ways and Means. Motions to Floor. 164 REP. MANNIX: Requests that the
Staff Measure Summary be modified to drop the phrase "glut of lawyers
179 VOTE: 9 - 2 Motion passes. Rep. Parks to carq.

AYE: Baum, Bell, Brian, Edmunson, Mannix, Mason, Parks, Sunseri, Miller
NO: Bauman, Edmunson EXCUSED: Clark HJR 60- RETIREMENT OF JUDGES - WORK
SESSION

189 CHAIMOV: Summarizes HJR 60.

195 MOTION, REP. EDMUNSON: Moves HJR 60 to the Floor with a "do
pass" recommendation. DISCUSSION ON THE MOTION 200 REP. MANNIX: It
should be up to the voters when a judge should stop serving. 209 REP.
EDMUNSON: The US Supreme Court is presently deciding a case whether such
a provision violates the federal constitution. 214 REP. BRIAN:
Suggests waiting until the Supreme Court has decided. 218 REP.
BAUMAN: There is another measure working its way through the system.

These minute' contain materiale which paraphrare and/or summarize sl
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243 VOTE: 9- 2 Motion passes. Edmunson to carq.

AYE: Baum, Bauman, Bell, Edmunson, Johnson, Mannix, Mason, Sunseri,
Miller NO: Brian, Parlcs EXCUSED: Clark

247 REP. BRIAN: Gives notice of possible minority report.

HB 2266 - CONTRACTS RELATING TO WILLS - WORK SESSION

254 CHAIMOV: Summarizes HB 2266. EXHIBIT E t 262 MOTION, REP.
BAUMAN: Moves adoption of HB 2266-2 Amendments. 263 VOTE: No
objection. Motion passes. 264 MOTION, REP. BAUMAN: Moves HB 2266 as
amended to the Floor with a "do pass" recommendation. 280 VOTE: 11 -
0 Motion passes. Rep. Bell to carry.

AYE: Baum, Bauman, Bell, Brian, Edmunson, Johnson, Mannix, Mason, Parks,
Sunseri, Miller NO: 0 EXCUSED: Clark HB 2386 - WORK SESSION

285 CHAIMOV: Summarizes HB 2386. 289 MOTION, REP. MANNIX: Moves HB
2386 as amended to the Floor with a "do pass" recommendation.

302 VOTE: 11 - 0 Motion passe. Rep. Johnson to carry.

AYE: Baum, Bauman, Bell, Brian, Edmunson, Johnson, Mannix, Mason, Parks, Sunseri, Miller NO: 0 EXCUSED: Clark SB 342 - NOTICE OF APPEAL IN JUVENILE CASES - WORK SESSION

306 HOLLY ROBINSON: Summarizes SB 342.

313 REP. MANNIX: There is a typing error.

317 ROBINSON: Has notified LC. IHouse Committee on Judiciarg May 14, 1991 - Page S

323 MOTION, REP. MANNIX: Moves SB 342 to the Floor with a "do pass" recommendation. 338 VOTE: 11 - 0 Motion passes. Rep. Bell to carry.

AYE: Baum, Bauman, Bell, Brian, Edmunson, Johnson, Mannix, Mason, Parks, Sunseri, Miller NO: 0 EXCUSED: Clark

SB 980 - NOTICE CONCERNING DETENTION OF CHILD - WORK SESSION 342 HOLLY ROBINSON: Summarizes SB 980.

348 MOTION, REP. MANNIX: Moves SB 980 to the Floor with a "do pass" recommendation. 360 VOTE: 11 - 0 Motion passes. Rep. Edmunson to carry.

AYE: Baum, Bauman, Bell, Brian, Edmunson, Johnson, Mannix, Mason, Parks, Sunseri, Miller NO: 0 EXCUSED: Clark

HB 3515 - CHILD CUSTODY DETERMINATIONS - WORK SESSION

364 HOLLY ROBINSON: Summarizes HB 3515. 373 REP. MASON: There are no easy solutions to domestic relations. This is one of the best bills he has seen in a long time.

TAPE 45, SIDE A

013 REP. BAUM: This has nothing to do with joint custody does it?

018 CHAIR MILLER: No.

019 MOTION, REP. MANNIX: Moves HB 3515 to the Floor with a "do pass" recommendation. 025 VOTE: 11 - 0 Motion passes. Rep. Mason to carry.

AYE: Baum, Bauman, Bell, Brian, Edmunson, Johnson, Mannix, Mason, Parks, Sunseri, Miller NO: 0 EXCUSED: Clark

040 CHAIR MILLER: Adjourns Full Committee on Judiciary at 1:35 p.m. at 1:35 p.m. House Committee on Judiciary May 14, 1991Page 6

Submitted by: Reviewed by: J. Kennedy Steve,
Assistant , Office Manager

EXHB ITS LOG: A Amendments to HB 2219 - Chaimov - 2 pages
B Amendments to HB 2805 - Chaimov - 3 pages C Amendments to HB
2806- Chaimov - 2 pages D Amendments to HB 3225 - Chaimov - 1 page
E Amendments to HB 2266 - Chaimov -3 pages