

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

Held in Room 522 S, at the Statehouse at 1:30 ~~a.m.~~/p. m., on March 13, 19 78.

All members were present except: Senators Steineger, Gaar and Mulich

The next meeting of the Committee will be held at 11:00 a. m./~~p.m.~~, on March 14, 19 78.

~~These minutes of the meeting held on _____, 19____ were considered, corrected and approved.~~


Chairman

The conferees appearing before the Committee were:

Staff present:

- Art Griggs - Revisor of Statutes
- Jerry Stephens - Legislative Research Department
- Cynthia Burch - Legislative Research Department

House Bill 2709 - Crimes, contributing to misconduct or deprivation of a child and aggravated juvenile delinquency. The chairman reviewed the fact that the committee had previously amended the bill and had reported it favorably as amended, but that the bill was back before the committee for guidance as to how the committee report should be drafted. This morning, further testimony was received from Mr. Penny; the committee could decide whether any further changes were needed or desirable in the bill; if any such changes were to be made, the committee would first have to vote to reconsider its former action. Senator Parrish moved to reconsider the action of the committee in reporting the bill favorably as amended; Senator Burke seconded the motion. Following committee discussion, the motion carried, with Senator Simpson being recorded as voting "No."

Senate Bill 282 - Adoption and relinquishment of children, rights of putative father. Following committee discussion, it was agreed that Senator Simpson prepare proposed amendments and return them to the committee for further consideration.

House Bill 2525 - Consumer protection act. The chairman reviewed the amendments previously made to the bill. Following committee discussion, Senator Berman moved to report the bill favorably as amended; Senator Parrish seconded the motion, and the motion carried.

Senate Concurrent Resolution 1648 - Constitutional amendment, corporations. Jerry Stephens reported to the committee on his discussion with Professor Treadway concerning the proposed constitutional amendment. He stated Professor Treadway expressed some concern that the adoption of the amendment would cause

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

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difficulties in piercing the corporate veil. The professor suggested that we should approach this with some caution. Following committee discussion, Senator Berman moved to report the resolution adversely; Senator Gaines seconded the motion. Senator Hein made a substitute motion to simply repeal this section of the constitution; Senator Simpson seconded the motion. The substitute motion failed on a vote of two to three. The original motion carried on a vote of four to two.

House Bill 2278 - Forfeiture of appearance bonds, authorizing civil actions thereon. Following committee discussion, Senator Berman moved to report the bill adversely; Senator Gaines seconded the motion, and the motion carried.

House Bill 2710 - Liability of parents for certain torts by their child. Following committee discussion, Senator Parrish moved to report the bill favorably; Senator Hess seconded the motion, and the motion carried.

Senate Bill 951 - Crimes and punishments, arrest warrants, unlawful disclosure. Following committee discussion, Senator Hein moved to report the bill favorably; Senator Parrish seconded the motion. Following further committee discussion, Senator Simpson made a substitute motion to amend the bill by inserting language dealing with warrants on felony charges. The motion died for want of a second. Senator Everett made a substitute motion to amend line 20; Senator Gaines seconded the motion, and the motion carried. Senator Hein moved to report the bill favorably as amended; Senator Parrish seconded the motion, and the motion carried.

House Bill 2299 - Less than unanimous jury verdicts in certain civil cases. Following committee discussion, Senator Everett moved to amend the bill to specify that it would not apply to commitment for mental illness, alcoholism, guardianship or conservatorship. Senator Berman seconded the motion, and the motion carried. Senator Berman moved to report the bill favorably as amended; Senator Parrish seconded the motion, and the motion carried.

The chairman requested Senator Parrish to discuss HB 2709 with Mr. Hamm.

The meeting adjourned.

These minutes read and approved
by the committee on 4-24-78.