

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

Held in Room 423, at the Statehouse at 9:00 a. m./p. m., on March 16, 19 79

All members were present except:

The next meeting of the Committee will be held at 3:30 a. m./p. m., on March 19, 19 79

These minutes of the meeting held on March 15, 19 79 were considered, corrected and approved.

JOSEPH J. HOAGLAND

Chairman

The conferees appearing before the Committee were:

Senator Simpson

Chairman Hoagland called the meeting to order at 9:00 a.m.

A motion was made by Rep. Roth and seconded by Rep. Glover to pass SB 73 favorably as amended. There was some discussion by the committee and then Rep. Gillmore made a substitute motion to amend SB 73 by striking Section "C" of the bill. Seconded by Rep. Matlack. Motion passed, to amend SB 73. Rep. Roth moved to recommend SB 73 favorably as amended. Seconded by Rep. Glover. Motion carried. Rep. Harper asked to be recorded as voting "NO" on the motion.

SB 43 was discussed next and Rep. Glover moved to amend the bill on Lines 64 and 66 to raise the \$50.00 to \$100.00. Seconded by Rep. Miller. After some discussion, the motion failed. Rep. Glover then moved to report the bill adversely. Seconded by Rep. Roth. Motion passed with a vote of 7 to 4.

Rep. Stites moved to amend SB 123 by striking and inserting certain language. Seconded by Rep. Crow. This would allow the filing of the contracts, as well as or in place of an affidavit of equitable interest. Following some discussion, the motion passed to amend SB 123. Rep. Crow moved to report SB 123 favorably as amended and Rep. Stites seconded the motion. Motion carried.

Senator Simpson then appeared to briefly explain SB 156 and ask the committee to recommend the bill favorably. Rep. Stites then moved to pass SB 156 favorably. Seconded by Rep. Baker. Motion carried.

Rep. Miller moved to report SB 179 adversely. Seconded by Rep. Glover. Motion failed by a vote of 8 to 4. Rep. Stites moved to amend SB 179 by also placing "county law officers" in the bill. Seconded by Rep. Glover. Motion passed. Rep. Stites then moved to further amend SB 179 by changing the word shall to "may" in Line 37. Seconded by Rep. Glover. Rep. Ferguson made a substitute motion to delete Section 1 and change "shall" to "may." Seconded by Rep. Roth. Motion carried to amend SB 179. Rep. Baker moved to table SB 179. Seconded by Rep. Miller. Motion lost by a vote of 8 to 3.

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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Rep. Stites moved to recommend SB 179 favorably as amended. Seconded by Rep. Ferguson. Motion carried.

SB 110 was discussed next and Rep. Glover explained an amendment to SB 110, that he would like the committee to consider. The amendment was to change to a class "D" misdemeanor, the private possession of one ounce or less of marijuana. This would be accomplished by placing SB 357 into SB 110. Rep. Glover then moved that SB 357 be amended into SB 110. Seconded by Rep. Roth. Rep. Miller then moved to table SB 110 to a date certain of Wednesday, March 21, 1979. Seconded by Rep. Douville. Motion carried to table SB 110 until Wednesday, March 21.

The meeting adjourned at 10:00 a.m.