

Approved April 1, 1986
Date

MINUTES OF THE House COMMITTEE ON Judiciary

The meeting was called to order by Chairman Joe Knopp at
Chairperson

3:30 ~~xxxx~~ a.m./p.m. on February 20, 1986 in room 313-S of the Capitol.

All members were present except:

Representatives Douville, Fuller, Harper and Wunsch were excused

Committee staff present:

Jerry Donaldson, Legislative Research Department
Mary Torrence, Revisor of Statutes Office

Jan Sims, Committee Secretary

Conferees appearing before the committee:

HB 2678 - An act concerning civil procedure; relating to small claims procedure.

Jerry Donaldson read the fiscal report on HB 2678 to the committee. Rep. Walker moved to change \$2,000 in line 25 to \$1,000. Seconded by Rep. Shriver. Motion carried on a voice vote. Rep. Shriver moved to reduce the number 10 in line to the number 5. Seconded by Rep. Adam. Motion failed on a voice vote. Rep. Snowbarger moved to change the docket fees on claims above \$500 in small claims to be at the limited actions rate. Seconded by Rep. Solbach. Motion carried on a voice vote. Rep. Walker moved to report HB 2678 as amended favorable for passage. Seconded by Rep. Buehler. Motion carried on a voice vote.

HB 2662 - An act concerning interest on judgments.

Rep. Vancrum moved that interest on judgments be three points over the rate on 52 week Treasury bills, to be adjusted annually on July 1. Seconded by Rep. Solbach. Motion carried on a voice vote. Rep. Buehler moved to report HB 2662 as amended favorable for passage. Seconded by Rep. Duncan. Motion carried on a voice vote.

HB 2658 - An act concerning support and visitation of certain parties; relating to orders for child support, maintenance and child visitation; concerning certain parentage actions.

Rep. Wagnon moved to adopt the amendments proposed by SRS. Seconded by Rep. Motion carried on a voice vote. Rep. Vancrum moved to amend lines 109-111 to make it at the discretion of the court whether or not payment is made through the court trustee's office, with the court maintaining jurisdiction over the payments. Seconded by Rep. Solbach. Motion carried on a voice vote. Rep. Wagnon moved to report HB 2658 as amended favorable for passage. Seconded by Rep. Adam. Motion carried on a voice vote.

HB 2743 - An act concerning juveniles; relating to detention in jail.

Rep. Duncan presented a balloon of HB 2743 and some additional amendments for this bill. Rep. O'Neal questioned how the sound separation would be interpreted because of sheriffs' concerns about a total sound separation. Rep. Duncan said a total separation was not the intent but it would mean there would be no direct communication between adults and juveniles. The juveniles would be able to hear but the communication could not be directed to the juveniles intentionally. Rep. Duncan moved to insert the word "reasonable" at line 22 and in (g) of the balloon and adopt the remainder of the amendments on the balloon. Motion seconded by Rep. Whiteman. Motion carried on a voice vote. Rep. Duncan moved to delete 19-1919 beginning at line 49. Seconded by Rep. Bideau. Motion carried on a voice vote. Rep. Duncan said he was concerned about what to do with facilities between now and July 1, 1988. He does not want this turned into a two year grace period for the jails to be upgraded. Rep. Bideau moved that the amendments provide for the sight and reasonable sound requirements be immediate and that the amendments on Rep. Duncan's second attachment be adopted. Seconded by Rep. Duncan. Motion carried on a voice vote.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Judiciary,
room 313-s, Statehouse, at 3:30 ~~xxx~~ p.m. on February 20, 1986.

Rep. Whiteman moved that lines 27-29 be deleted. Seconded by Rep. O'Neal.
Motion carried on a voice vote. Rep. Duncan moved that HB 2743 as amended be
reported favorable for passage. Seconded by Rep. Adam. Motion carried on a voice
vote.

The Chairman adjourned the meeting at 5:00 P.M.