

Approved March 4, 1988  
Date

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

The meeting was called to order by Representative Robert S. Wunsch at  
Chairperson

3:30 ~~xxx~~/p.m. on February 23, 1988, 19    in room 313-S of the Capitol.

All members were present except:  
Representatives Fuller, Jenkins, Snowbarger, Vancrum and Wagnon

Committee staff present:

Jerry Donaldson, Legislative Research Department  
Jill Wolters, Revisor of Statutes Office  
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee:

Representative David Heinemann  
Representative Arthur Douville

The Chairman appointed a subcommittee to study the juvenile runaway proposals. Members of the subcommittee appointed were: Representative Edwin Bideau, Chairman; Representative Wanda Fuller; Representative Donna Whiteman.

Hearing on H.B. 2880 - Who is protected, the enforcement of such protection and support payments under the protection from abuse act.

Representative Heinemann recommended Section I be deleted. He also recommended the bill be further amended in Sec. 3 to include language concerning a restraining order.

Hearing on H. B. 2881 - Time at which sentence or punishment under a criminal code may be modified

Representative Heinemann testified this bill takes care of a technical problem in the present law.

The hearing was closed on H.B. 2881.

Hearing on H.B. 2943 - Docket fee not required on appeal in code for care of children

Representative Heinemann informed the Committee that instead of the new language proposed, a new subsection (d) be created stating "no advance payment of a docket fee shall be required when an appeal is taken." He also recommended including the juvenile offender codes.

The hearing was closed on H.B. 2943.

Hearing on H.B. 2895 - Prohibiting negligence suit by child against parent; by spouse against spouse

Representative Douville explained that this bill addresses ordinary negligence except in cases arising out of the negligent operation of a motor vehicle.

The hearing was closed on H.B. 2895.

Committee discussion and action on the following bills:

H.B. 2652 - Civil procedure rules dealing with the filing of motions

Representative Solbach moved to report H.B. 2652 favorably. The motion was seconded by Representative Buehler. The motion passed.

H.B. 2689 - Concerning civil procedure, relating to garnishment

Representative O'Neal moved to report H.B. 2689 favorable for passage. The motion was withdrawn.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY,  
room 313-S, Statehouse, at 3:30 ~~am~~ p.m. on February 23, 1988

Representative Solbach moved to change on line 378 the 25%, and wherever else it appears in the bill, to 20%. Representative Whiteman seconded. The motion failed.

Representative O'Neal moved to report favorably H.B. 2689. Representative Walker seconded and the motion passed.

H.B. 2754 - Concerning bonds; relating to the cancellation thereof.

Representative Whiteman moved to amend the bill by requiring a motion and up to date accounting accompany the motion and the court not preempt the order until an accounting is filed and approved. The motion passed.

A motion was made by Representative Bideau to report H.B. 2754, as amended, favorable for passage. Representative Buehler seconded the motion. The motion passed.

H.B. 2851 - Concerning certain liens on personal property

A motion was made by Representative Bideau and seconded by Representative O'Neal to report H.B. 2851 favorably. The motion passed.

The Committee meeting was adjourned at 4:55 p.m.

The next meeting will be Wednesday, February 24, 1988 at 3:30 p.m. in room 423-S.