

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on January 10, 1995 in Room 313-S of the Capitol.

All members were present.

Committee staff present: Jerry Donaldson, Legislative Research Department
Jill Wolters, Revisor of Statutes
Cindy Wulfkuhle, Committee Secretary

Others attending: See attached list

Mike Heim, Legislative Research Department, briefed the committee on the summers Special Committee on Judiciary recommendations. (To obtain a copy of the *Reports of Special Committees Legislative Budget Committee & Legislative Educational Planning Committee* contact Legislative Research Department). The Committee was assigned seven topics for study; judicial system, juvenile offender issues, punishment options for persons who have committed crimes; prison populations, implementation of Sexual Predator Act; mental health treatment program for perpetrators of domestic violence and the impact of legislation that reduced the age of conviction of felonies from age 18 to 16.

The Committee introduced legislation which would authorize the return of retired judges to temporary judicial duty for not more than 90 days a year in return for a retirement benefit increase of 25 percent for that year. They recommended that the 1995 Legislature review the budget process as it related to the Judicial Branch. The Committee has reservations with the current system which requires the Judicial Branch, a co-equal branch of government, to submit its budget to the Division of Budget. The Committee believes that the Judicial Branch should be able to submit its recommended budget directly to the Legislature or allow the judicial budget to be submitted to, but not altered by, the Executive Branch. The Committee also recommended that the 1995 Legislature also address the space and maintenance needs of the Judiciary.

The Committee recommended that the Legislature continue to monitor punishment options and prison population. They also recommend that there be further study of juvenile offender issues; including the creation of a Juvenile Authority.

The Committee made no recommendations on the issue of whether mandatory treatment of persons committing domestic violence should be implemented. The majority of those who testified on this topic opposed a mandated program and believed that the Protection From Abuse Act was working well.

The Committee introduced legislation to amend the sexual predator law and recommended that the Legislature address issues regarding which person or agency should have authority to file a sexual predator petition and whether the county or the state should pick up costs associated with the litigation.

The Committee also introduced legislation that would amend the law enacted in 1994 permitting the revocation of professional licenses for failure to pay child support.

The Committee meeting adjourned at 4:30 p.m. The next Committee meeting is scheduled for January 11, 1995.

