

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson John Vratil at 4:51 p.m. on March 21, 2001 in Room 123-S of the Capitol.

All members were present except: Senator O'Connor (excused)

Committee staff present:

Gordon Self, Revisor
Mike Heim, Research
Mary Blair, Secretary

Conferees appearing before the committee:

Representative Robert Tomlinson
Representative Sue Storn

Others attending: see attached list

HB 2176–unlawful sexual relations

Representatives Tomlinson and Storm explained the purpose of a House amendment to **HB 2176**, a bill which would expand the crime of unlawful sexual relations to include SRS employees. The amendment includes teachers who engage in prohibited sexual activity with a 16 or 17 year old student enrolled in the school where the offender teaches. Representative Tomlinson indicated that the House amendment would cover all teachers and administrators who are certified and working in accredited schools. He stated the intention was to obtain authority to revoke the license of a teacher or administrator involved in prohibited sexual activity. Representative Storm presented a brief history of the bill. (no attachment) Lengthy discussion followed about possible floor amendments since this bill has passed out of Committee without the House amendment.

HB 2230–concerning suspension or restriction of driver's license

Research Staffperson, Mike Heim, presented an overview of **HB 2230**. He stated this bill “contains new legislation and amendments to driver's license related statutes involving driving and the use of alcohol as well as the major overhaul of the State's implied consent law.” (attachment 1) Discussion followed. Since another piece of legislation, **SB 56** which passed the Senate, covers the provisions in Section I of this bill Senator Donovan moved to delete Section I and it's related technical provisions from HB 2230, Senator Pugh seconded. Carried. Committee discussed at length the administrative procedures in Section 2 of the bill with several members expressing concern regarding the lack of due process. Senator Donovan made a motion to limit the witnesses that could testify at the administrative hearing to the licensee and one competent witness who was present during the incident giving rise to the issuance of the citation and a law enforcement officer, Senator Umbarger seconded. Carried.

Committee discussed Sections 3,4,5, and 6 of the bill. Following discussion Senator Goodwin moved to delete Sections 4,5,and 6, Senator Gilstrap seconded. Carried.

The meeting adjourned at 5:53 p.m. The next scheduled meeting is March 22, 2001.