

MINUTES OF MEETING - ASSEMBLY COMMITTEE ON JUDICIARY, 54th Session, April 14, 1967

Meeting was called to order by Chairman Wooster at 3:45 P.M.

Present: Wooster, Hilbrecht, Kean, Dungan Torvinen, White, Lowman, Schouweiler

Absent: Swackhamer

SB 505: Authorizes retention by or private sale to law enforcement officers or agencies of confiscated weapons.

MR. WOOSTER: Now, when a weapon is confiscated, it must be auctioned off or destroyed. This bill authorizes retention or private sale.

Mr. Kean moved Do Pass SB 505

Mr. Hilbrecht seconded

Motion passed unanimously

SB 515: Preserves power of district attorneys to issue subpoenas.

MR. WOOSTER: This is the Senate bill to allow the District Attorneys to continue to have the right of subpoena.

MISS DUNGAN: If we don't pass this bill, will it be like our committee wanted it to be?

MR. WOOSTER: I did get some background information on this because I knew there would be no time for hearings.

MR. KEAN: The only fault I have with this bill is that you have a one-sided thing. The D.A. can get subpoenas and the other side cannot.

MR. WOOSTER: There is a difference. The D.A. handles all the cases. The other side handles only a few.

MR. HILBRECHT: I talked to George Franklin and told him we thought what was sauce for the goose was sauce for the gander. I told him either side could go get them in blank.

MR. WOOSTER: The clerk issues these in the name of the case, so he can't get them in any great numbers.

MR. KEAN: I will accept the bill if we amend to make it for both sides.

MR. TORVINEN: Sometimes the D.A., even before he gets the name of the case, will want to preserve a witness and he can't do it without this bill. That is the issue.

MR. HILBRECHT: In Franklin's office, the pressure is no more than for a man handling two or three cases. The deputies handle the cases.

MR. KEAN: I talked to Franklin in the hall and he said he did not care if we gave it to both.

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MR. TORVINEN: I haven't talked to George Franklin, but Raggio sure wants this bill.

MR. WOOSTER: We are taking away something they have had, and why should we?

MR. TORVINEN: I don't know of any time this privilege has been abused in the past.

Mr. White moved Do Pass SB 515

Mr. Torvinen seconded

The Motion carried, with Wooster, Lowman, White, Torvinen, and Schouweiler voting Aye and Kean, Hilbrecht, and Dungan voting No

SB 499: Clarifies law relating to liens of trailer park keeper.

Mr. Kean moved Do Pass SB 499

Mr. Lowman seconded

Motion passed unanimously

SB 385: Expands and clarifies municipal court duties, power, and jurisdiction.

MR. WOOSTER: This was introduced March 7th and we just got it today. I talked to George Ogilvie and he says the meat of the bill is section 8 "Trial and proceedings before the municipal court shall be summary and without a jury."

MR. TORVINEN: I have read the bill a couple of times. At the top of page 4, an amendment is necessary.

MR. WOOSTER: We will hold it until tomorrow, as requested by Mr. Hilbrecht.

Mr. Lowman asked the members of the committee to look over the Senate amendments to AB 438, the CATV bill. He said he had studied them and they are all right. He suggested the committee concur.

There were no objections.

The meeting was adjourned at 4:05 P.M.