

ASSEMBLY COMMITTEE ON JUDICIARY - 56th SESSION, 1971
MEETING HELD JANUARY 26, 1971

The meeting was called to order at 4:15 p.m.

PRESENT: Miss Foote, Messrs. Fry, Lowman, Torvinen, Dreyer, May, Olsen, McKissick, and Kean. None Absent.

Chairman Fry announced the appointment of Mr. Lowman as Vice-Chairman.

The Chairman led a discussion of the proposed Rules of Procedure, a copy of which will be found in each member's minute book. Mr. Kean suggested the rules include one stating that a vote on a measure is not called for while witnesses are present. The Chairman said this rule is one that is understood and will be followed by the chair, and need not be included in the rules of procedure.

Mr. Kean moved that the proposed rules be accepted by the committee. Seconded by Mr. Torvinen. Carried.

The chairman announced that the minute books and the committee bill books will be left with the secretary at the end of each meeting. The secretary will keep them up to date and will deliver them to the members the next day.

The Chairman announced that any members desiring a hearing on a measure should contact him to make arrangements as to a date.

Discussion was held on a hearing date for AB 4, which removes criminal penalties for abortions performed by licensed doctors. The date of February 17 at 2 p.m. in Room No. 131 was set for the hearing.

A discussion was held on the introduction of narcotics control legislation. Mr. Kean stated that Mr. Davis of the Legislative Counsel Bureau, at his request, has prepared a bill for introduction. This is modeled after the Uniform Dangerous Substances Act. Mr. Kean expects the Legislative Counsel Bureau to receive explanatory material for distribution along with the bill.

Mr. McKissick moved that the Chairman look at Mr. Kean's proposed bill regarding narcotics control, and if he feels it is proper as a Judiciary Committee matter, to introduce it as a committee measure. Seconded by Mr. Kean. Carried.

Mr. McKissick stated he had some bills he would like to have introduced by the Judiciary Committee.

One of Mr. McKissick's bills provides additional penalties and procedures in narcotics cases. Mr. Kean moved that the committee introduce the bill. Seconded by Mr. Dreyer. Carried.

Mr. McKissick's second bill concerns increasing the cost bond to be deposited by out-of-state plaintiffs in civil actions to \$500. Mr. Lowman moved that the bill be introduced by the committee. Seconded by Mr. Kean. Carried.

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Mr. McKissick's third bill relates to small claims courts, and provides that collection agencies will be prohibited from hearings in small claims courts on accounts receivable without legal counsel, if the separate accounts are combined to exceed \$300. Discussion was held concerning the measure. It was suggested that the State Bar Association may be the proper place for corrective action such as this. Mr. McKissick stated that he would study the measure further, and possibly have it re-worded.

Mr. Lowman moved that the meeting be adjourned. There being no objections, the meeting was adjourned at 5:00 p.m.

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RULES OF PROCEDURE --- COMMITTEE ON JUDICIARY

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1. A quorum of the committee will consist of five (5) members.
2. A majority of the entire committee (nine [9] members) will be required in order for action on a measure before the Committee. Such actions would be:
 - A. To pass out or hold a bill.
 - B. To amend a bill.
 - C. To amend or add to these rules.
3. Six (6) votes will be required to bring a matter previously disposed of before the committee for reconsideration. This includes matters disposed of in the absence of a member. However, in event of excused absence, the member may request a matter be held over until he is present.
4. The Chairman, or Vice-Chairman in the Chairman's absence, will call and conduct all hearings and meetings of the committee.