MINUTES

May 8, 1975

This meeting of the Assembly Judiciary Committee was called to order at 4:20 p.m. by Chairman Barengo.

At all times there was a quorum present when voting took place. Legislation Action Forms are attached for each bill voted upon.

As to A.B.8, Mrs. Wagner moved to INDEFINITELY POSTPONE, and Mr. Banner seconded. The vote was 4 in favor of the motion with 1 dissenting--Lowman. 4 were absent--Sena, Hayes, Heaney & Hickey. This motion did not carry.

Mrs. Wagner moved to INDEFINITELY POSTPONE A.B.378, and Mr. Polish seconded. 5 voted in favor of the motion. 4 absent--Hayes, Heaney, Hickey & Sena.

MOTION CARRIED INDEFINITELY POSTPONE A.B.378.

Mr. Lowman moved INDEFINITELY POSTPONE A.B.444, and Mr. Polish seconded. 5 "aye" votes with 4 absent--Hayes, Heaney, Hickey & Sena. MOTION CARRIED INDEFINITELY POSTPONE A.B.444.

Mrs. Wagner moved to INDEFINITELY POSTPONE A.B.517, and short discussion followed. Mrs. Wagner withdrew her motion. She then moved to make this bill part of the interim study on the judicial system. This motion was seconded, and unanimously approved by the Committee.

A.B.569, A.B.651, A.B.652 and A.B.688 were discussed, and Mr. Lowman requested that they be held until the Board of State Medical Examiners conferred with this Committee.

Mr. Barengo announced that he received the amendments to the obscenity bill, A.B.722, which amendments were drawn up by Frank Daykin. Mr. Barengo explained the amendments to the Committee. He had a telephone call and he said that the librarians are opposed to any obscenity legislation at all. Mr. Lowman moved DO PASS AS AMENDED, and Mrs. Hayes seconded. 5 "aye" votes with 2 dissenting--Banner and Wagner. 2 were absent at this point--Heaney and Hickey. MOTION CARRIED DO PASS A.B.722 AS AMENDED.

A.B.575 was considered, and Mr. Lowman moved to INDEFINITELY POSTPONE. Mrs. Wagner seconded. 7 voted in favor of the motion with 2 absent-Heaney & Hickey.

MOTION CARRIED INDEFINITELY POSTPONE A.B.575.

A.B.576 was considered, and Mr. Lowman moved to INDEFINITELY POSTPONE.

Mrs. Wagner seconded. 7 voted in favor of the motion with 2 absentHeaney & Hickey.

MOTION CARRIED INDEFINITELY POSTPONE A.B.576.



Minutes
Page Two.

May 8, 1975

Discussion ensued regarding A.B.672. It was moved and seconded that this Committee request a new bill to this effect and leave out age entirely and change the language to read "any person" when referring to a hoisting engineer. 3 voted in favor of requesting a new bill, 4 dissented, and 2 were absent. The motion did not carry.

Considering A.B.672, Mr. Lowman moved DO PASS AS AMENDED by removing "man" and inserting "person" and take out age. There was a second to this motion. A vote indicated that 5 Committee members were in favor of this motion. 2 abstained and 2 were absent--Heaney and Hickey.

MOTION CARRIED DO PASS A.B.672 AS AMENDED.

A.B.692 was considered next, and Mr. Lowman moved INDEFINITE POST-PONEMENT. Mr. Banner seconded. 8 voted for this motion with 1 absent--Heaney.

MOTION CARRIED INDEFINITELY POSTPONE A.B.692.

A.B.693 was briefly discussed, and it was decided to withhold action

A.B.693 was briefly discussed, and it was decided to withhold action until the follow-up on a study was completed.

Mr. Polish moved DO PASS A.B.696, and Mr. Lowman seconded. 5 voted "aye", and 3 dissented (Barengo, Hayes & Wagner). 1 absent (Heaney). There was a minority opinion on this, and at some future date, a minority report will be filed.

MOTION CARRIED DO PASS A.B.696.

Regarding A.B.699, Mr. Hickey commented that if this bill passes, he has a baliff in his district whose job is hanging in the balance. A possible amendment was considered to allow the baliff be hired by the county. Mrs. Wagner proposed an amendment to take out the age of 25. Mr. Hickey requested that a subcommittee be appointed to look into the provisions of the bill. Mr. Barengo appointed Mr. Banner and Mr. Hickey to this subcommittee.

Mrs. Hayes was excused from this meeting to attend another, at which her presence was needed.

Mr. Hickey moved DO PASS A.B.718, and Mr. Polish seconded. 2 voted for the motion, and 5 dissented-Banner, Barengo, Lowman, Sena & Wagner. Absent for the vote were Hayes and Heaney. It was moved, seconded and unanimously voted to send this bill to the interim study.

After discussion, Mr. Lowman moved DO PASS A.B.728 AS AMENDED, and Mr. Hickey seconded. 7 "aye" votes with 2 absent--Hayes and Heaney. MOTION CARRIED DO PASS A.B.728 AS AMENDED.

Mr. Hickey moved to INDEFINITELY POSTPONE A.B.756, and Mr. Lowman seconded. 7 voted for the motion with 2 absent--Hayes & Heaney. MOTION CARRIED INDEFINITELY POSTPONE A.B.756.

Minutes
Page Three.

May 8, 1975

Mr. Lowman moved INDEFINITE POSTPONEMENT on A.J.R.33, and Mr. Hickey seconded. 7 voted "aye"--2 absent (Hayes and Heaney).

MOTION CARRIED INDEFINITELY POSTPONE A.J.R.33.

Mr. Lowman moved to INDEFINITELY POSTPONE A.J.R.34, and Mr. Hickey seconded. 5 voted "aye" and 2 dissented (Sena & Wagner). 2 absent (Hayes and Heaney).

MOTION CARRIED INDEFINITELY POSTPONE A.J.R.34.

A.B.559 was discussed and amendments were proposed. It was moved and seconded to DO PASS AS AMENDED. 6 voted for the motion. 1 dissented-Lowman. 2 were absent--Hayes and Heaney.

MOTION CARRIED DO PASS A.B.559 AS AMENDED.

Discussion was had on <u>S.B.199</u>, and it was pointed out that this bill was killed by this Committee on March 20, 1975. Mr. Lowman commented that he since had received a letter regarding this bill.

As to S.B.70, Mr. Hickey commented that he has not yet had a chance to check into the bill. Action will be taken at a later date.

Mrs. Wagner moved DO PASS S.B.320, and Mr. Sena seconded. 5 "aye" votes, and 4 absent for the vote--Banner, Hayes, Heaney & Lowman. MOTION CARRIED DO PASS S.B.320.

Discussion was had as to amending language to <u>S.B.369</u>, and Mr. Hickey moved DO PASS, with Mrs. Wagner providing the second to his motion. The vote showed 3 in favor of this motion. 3 dissented--Sena, Polish and Lowman. 3 were absent for the vote--Banner, Hayes & Heaney. This motion did not carry.

Chairman Barengo said that the Secretary of State would appear and testify before this Committee on <u>S.B.375</u>.

Mr. Hickey moved DO PASS S.B.391, and Mr. Sena seconded. 6 voted for this motion, and 3 were absent--Banner, Hayes and Heaney.

MOTION CARRIED DO PASS S.B.391.

After discussion on amending the bill, Mrs. Wagner moved DO PASS S.B.433 AND AMEND by deleting Line 19, Page 2. Mr. Banner seconded. 3 voted in favor of this motion. 4 dissented. 2 were absent. This motion did not carry. Thereafter, Mr. Lowman moved to INDEFINITELY POSTPONE S.B.433, and Mr. Hickey seconded. 4 voted in favor of the indefinite postponement, 3 dissented and 2 were absent. This motion did not carry.

A.B.490 was discussed. Mr. Hickey moved DO PASS, and Mr. Banner seconded. 7 voted in favor of the Do Pass motion. 2 were absent-Heaney and Hayes.

MOTION CARRIED DO PASS A.B.490.

As to S.B.499, Mr. Lowman moved DO PASS with Mr. Banner seconding. 7 voted "aye" and 2 were absent--Heaney and Hayes.

MOTION CARRIED DO PASS S.B.499.

Assembly Committee on Judiciary

Minutes
Page Four.

May 8, 1975

Mr. Lowman moved DO PASS S.B.519, and Mr. Banner seconded. 7 voted in favor of the motion and 2 were absent--Heaney and Hayes.

MOTION CARRIED DO PASS S.B.519.

Chairman Barengo brought S.B.555 to this Committee's attention, saying it was just received by this Committee for consideration.

There was a motion for adjournment and a second. Mr. Barengo adjourned this meeting at 5:35 p.m.

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LEGISLATION ACTION

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Moved By Mr. Le	uman_ Seconded By Mr. Polish
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AMENDMENT:	
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MOTION	AMEND
VOTE: YES NO	YES NO YES NO
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LEGISLATION ACTION

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DATE 5/8/75		1018
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1021

LEGISLATION ACTION

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Attach to Minutes 5/8/75

Date

1020

LEGISLATION ACTION

DATE 5/8/75		1022
BILL NO. A.B. 490		
MOTION:		
Do Pass Amend	Indefinitely Postpone	Reconsider
Moved By mr. Hickey	Seconded By M.	Banner
AMENDMENT:		
Moved By	Seconded By	
AMENDMENT:		
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MOTION	AMEND	AMEND
VOTE: YES NO	YES NO	YES NO
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Date

DATE <u>5/8/75</u>		1023
BILL NO. S.B. 499		
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Moved By Mr. Law	many Seconded By	mr. Banner
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AMENDMENT:		
Moved By	Seconded By	
VOTE: YES NO	AMEND YES NO	AMEND YES NO
Barengo Banner Hayes Heaney Hickey Lowman Polish Sena Wagner		
TALLY: Yearry	alisent.	
ORIGINAL MOTION: Passe	ed / Defeated	Withdrawn
Amended & Passed	Amended & De	efeated
Amended & Passed	Amended & De	efeated
Attach to Minutes	5/8/75	

DATE 5/8/25		
BILL NO. S.B. 519		
MOTION:		
Do Pass Amend	Indefinitely Postpone	Reconsider
Moved By Mr. Lawn	an Seconded By M	Banner
AMENDMENT:		
Moved By	Seconded By	
AMENDMENT:		
Moved By	Seconded By	
MOTION	AMEND	AMEND
VOTE: YES NO	YES NO	YES NO
Barengo		
Hayes		
Heaney Hickey		
Hickey Lowman Polish Sena Wagner		
Sena		
Wagner		
Thayes + Heavy strent.		
TAILUI.		
ORIGINAL MOTION: Passed	Defeated With	drawn
Amended & Passed	Amended & Defeate	đ
Amended & Passed	Amended & Defeate	đ

Attach to Minutes