

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Michael O'Neal at 3:30 p.m. On February 8, 2001 in Room 313-S of the Capitol.

All members were present.

Committee staff present:

Jerry Ann Donaldson, Legislative Research Department

Jill Wolters, Revisor of Statutes Office

Cindy O'Neal, Committee Secretary

HB 2077 - Protection from Abuse orders entered into NCIC file

The committee received a balloon amendment from the subcommittee which took out stalking and redefine abuse and added & defined "dating relationship". (Attachment 1)

Representative Long made the motion to adopt the subcommittee balloon. Representative Pauls seconded the motion. The motion carried. DiVita asked to be recorded as voting no. She believes that people should be able to file PFA orders when they are being stalked.

Representative DiVita made the motion to add the stalking language back in. Representative Patterson seconded the motion. The motion failed.

Representative Williams made the motion to report the **Substitute Bill for HB 2077** favorably for passage. Representative Ruff seconded the motion. The motion carried.

HB 2175 - promoting a limited action case to a chapter 60 judgement

Representative Loyd made the motion to report **HB 2175** favorably for passage. Representative Patterson seconded the motion.

Representative Loyd made the substitute motion to delete section one and add language to the effect that no judgement can be filed in another county until it has been certified in the original county. Representative Patterson seconded the motion. The motion carried.

Representative Loyd made the motion to report **HB 2175** favorably for passage as amended. Representative Long seconded the motion. The motion carried.

HB 2136 - criminal history classification for involuntary manslaughter while DUI

Representative Long made the motion to report **HB 2136** favorably for passage. Representative Ruff seconded the motion.

Representative Pauls made the substitute motion to have DUI convictions decay if another DUI has not been received within ten years of the date of the event and the most recent conviction. Representative Rehorn seconded the motion. The motion carried.

Representative Loyd made the motion to report **HB 2136** favorably for passage as amended. Representative Morrison seconded the motion. The motion carried.

HB 2174 - appointment of the Chief Clerk & Clerk of the District Court by the Chief Judge

Representative Rehorn made the motion to report **HB 2174** favorably for passage. Representative Long seconded the motion.

Representative Rehorn made the substitute motion to restore the original language and strike on lines 16,18 & 32 the word “other”. Representative Shriver seconded the motion. The motion carried.

Representative Rehorn made the motion to report **HB 2174** favorably for passage as amended. Representative Williams seconded the motion. The motion carried.

HB 2173 - expungement of arrest records

Representative Pauls made the motion to report **HB 2173** favorably for passage. Representative Klein seconded the motion.

Representative Newton made a substitute motion to add directive language in the bill. Representative Pauls seconded the motion. The motion carried.

Representative Pauls made the motion to report **HB 2173** favorably for passage as amended. Representative Crow seconded the motion. The motion carried.

HB 2076 - search incident to lawful arrest

Representative Newton made the motion to report **HB 2076** favorably for passage. Representative DiVita seconded the motion.

Some committee members that with the passage of the bill it would have a lot of constitutional ramifications. Representative Klein made the substitute motion to table the bill. Representative Ruff seconded the motion. The motion carried.

The committee meeting adjourned at 5:00p.m. The next meeting is scheduled for February 12, 2001.