

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Emert at 10:05 a.m. on February 22, 2000 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

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

Conferees appearing before the committee:

None

Others attending: see attached list

The minutes of the February 21<sup>st</sup> meeting were approved on a motion by Senator Bond, seconded by Senator Donovan. Carried.

**SB 423—regarding lab analysis fees**

T

**Pat**

**W**

**seconded. Carried**

**SB 484—concerning crime and punishment; regarding domestic battery**

The Chair reviewed the bill which amends changes made last year to the definition of domestic battery. Following discussion it was the consensus of the Committee to “let the bill rest”. (attachment 2)

Judiciary Subcommittee Chairs reviewed a number of their assigned bills. The following action was taken:

Chair - Senator Pugh

**SB 480—concerning certain county attorneys; regarding the duties thereof**

**SB 584—concerning private investigators and security operations; regarding contingency fees; continuing education**

Following discussion Senator Pugh moved to report both bills unfavorably as recommended by subcommittee, Senator Bond seconded. Carried. (see 2-21 minutes attachment 2)

Chair - Senator Vratil

**SB 447—concerning civil procedure; relating to subpoenas of business records**

**SB 483—concerning civil procedure; regarding service of process**

**SB 447** - Senator Vratil moved to amend the bill to not delete the notice requirement relating to notice of issuance of subpoena 10 days prior to such issuance but clarify that the notification requirement is the responsibility of the party requesting the subpoena and not the clerk of the district court and to pass the bill out favorably as recommended by subcommittee, Senator Petty seconded. Carried.

**SB 483** - Following discussion Senator Vratil moved to amend the bill to increase the filing fee from \$30 to \$40, Senator Petty seconded. Carried. Senator Vratil moved to amend the bill to make the technical amendments to better clarify changes in the service of process statute and the limited liability company act related to service of process and to pass the bill out favorably as amended and recommended by subcommittee, Senator Feleciano seconded. Carried.(see 2-21 minutes attachment 1)

**SB 416—concerning the use of safety belts; penalties**

The Chair discussed the bill which provides for primary enforcement of seat belts, increases the fine for violation of the law and requires all occupants in a vehicle to wear safety belts. He discussed a proposed amendment to the bill which would require only front seat occupants to wear a safety belt and also include that law enforcement officers shall not stop drivers for violations of this act in the absence of another violation of law.(attachment 3) Following discussion Senator Bond moved to adopt the balloon amendments, Senator Goodwin seconded. Following further discussion, Senator Oleen offered a substitute motion to only amend the bill to increase the fine for a seat belt infraction from the current \$10 to \$25, Senator Donovan seconded. Carried, with Senators Bond and Pugh voting nay. Senator Donovan moved to pass the bill out favorably as amended, Senator Vratil seconded. Carried.

**SB 366–Uniform Commercial Code; regarding secured transactions**

Senator Vratil stated the bill would amend Article 9 of the Uniform Commercial Code to adopt 1998 amendments promulgated by the Uniform Law Commissioners and he reviewed subcommittee's hearing on this bill along with amendment recommendations. (attachment 4) Following discussion Senator Vratil moved to amend the bill as recommended by subcommittee and move the bill out favorably, Senator Bond seconded. Carried.

The meeting adjourned at 10:58. The next scheduled meeting is February 23, 2000.