

SENATE JUDICIARY COMMITTEE

JANUARY 30, 1970

ROOM 523

CONSIDERATION OF:

SENATE BILLS 350 & 406
HOUSE BILL NO. 1096

The Senate Judiciary Committee met January 30, 1970 in Room 523 at eleven o'clock A.M. with the chairman, Senator Steadman Ball, presiding. All members were present except: Senators Arvin, Bell, Foster, Herd, and Smith.

Senator Tillotson reported on some work he had done on Senate Bill No. 350 with reference to the problems and suggested amendments. After some discussion, Senator Tillotson moved and Senator Bennett seconded that the suggested amendments be adopted by the committee. The motion carried and Senator Tillotson moved that the committee recommend the bill for passage as amended. Senator Woodard seconded and the motion carried. Senator Tillotson agreed to have the Revisor of Statutes' office prepare the report.

Senator Ball read a letter from Mr. Saffels, Chairman of the Corporation Commission, requesting some legislation allowing the commission to expand the time for hearing and determining matters on rehearing. Senator Storey moved the Judiciary Committee of the Senate introduce a bill to take care of this, Senator Woodard seconded the motion and it passed.

Senator Hodge talked on the cases concerning taxes paid under protest and persons bringing suits immediately.

Senator Hodge spoke on the situation created by Judges' setting thirty-five or forty cases at one time and the members of the committee discussed methods that could be used to prevent cases from being moved up to the head of the docket. They also discussed what kind of bill could be introduced to remedy this and it was suggested that the best thing would be a resolution

directing the Judicial Council to make a study of the problem of the advancement of cases on the trial docket when previously assigned cases came off by settlement, continuance, etc. and to have the Judicial Council report back to the next session of the Legislature. Senator Woodard moved that the committee introduce such a resolution, Senator Bennett seconded and the motion carried.

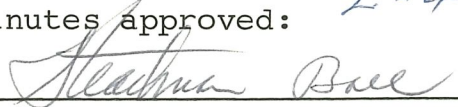
Senator Rogers explained some suggested amendments regarding ~~66~~502. He moved the committee introduce a bill to cover the 25-year limitations and have it referred back to the committee for further study. Senator Tillotson seconded the motion and it carried.

Reconsideration of House Bill No. 1096 was taken up and the following amendment was suggested: House Bill No. 1096 be amended on page 3, line 7 by striking out the word "attendance" and inserting in lieu thereof the following: "medical examination or treatment"; also in line 8, by striking the word "as" and inserting the word "by"; Senator Gaar moved and Senator Woodard seconded that the suggested amendment be adopted and that the bill be recommended for passage as amended. The motion carried.

Senate Bill No. 406 was taken up and Senator Winter moved, with Senator Rogers seconding that the bill be recommended for passage. The motion carried unanimously.

The meeting was adjourned to meet Monday, February 2, 1970.


Martha P. Welch, Recording Sec.

Minutes approved: 2-4-70

Chairman.