

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
Room 223 - State Capitol Building
February 7, 2002**

MEMBERS PRESENT: Rep. Glenn L. Way, Chair
Rep. James A. Ferrin, Vice Chair
Rep. Patrice Arent
Rep. Chad E. Bennion
Rep. Ron Bigelow
Rep. Katherine M. Bryson
Rep. Greg J. Curtis
Rep. Scott Daniels
Rep. Ben C. Ferry
Rep. Neal B. Hendrickson
Rep. Eric Hutchings
Rep. Mike Thompson
Rep. A. Lamont Tyler

MEMBERS ABSENT: None

STAFF: Jerry D. Howe, Research Analyst
Cherri White, Committee Secretary

VISITORS: List of visitors on file

Representative Way called the meeting to order at 7:12 a.m.

H.B. 290 Affidavit of Impecuniosity Amendments (*J. Swallow*)

Representative Swallow introduced the bill and explained its intent. Janise Macanas, Assistant Attorney General, assisted Representative Swallow and addressed questions from the committee.

MOTION: Representative Tyler moved to pass the bill out favorably. The motion passed unanimously with Representative Thompson absent for the vote.

H.B. 282 Child Support Reductions (*J. Swallow*)

Representative Swallow introduced the bill and explained its intent.

Michael Johnson, a citizen, spoke to the bill.

MOTION: Representative Bennion moved to pass the bill out favorably. The motion failed 5-6-2. Voting in favor of the motion, Representatives Bennion, Curtis, Hutchings,

Ferrin, and Way; voting in opposition to the motion Representatives Arent, Bryson, Daniels, Ferry, Hendrickson and Tyler; and absent for the vote Representatives Bigelow and Thompson.

As Representative Biskupski was not in attendance to present her bill the chair moved on to the next bill on the agenda, H.B. 342 "Recovery of Damages for Loss of Use of a Motor Vehicle".

H.B. 342 Recovery of Damages for Loss of Use of a Motor Vehicle (G. Curtis)

MOTION: Representative Curtis moved to delete H.B. 342, and replace it with 1st Substitute H.B. 342 "Recovery of Damages for Loss of a Motor Vehicle". The motion passed unanimously with Representative Bigelow absent for the vote.

As Representative Curtis was needed in Executive Appropriations he requested that Chairman Way proceed with the introduction and presentation of the bill.

Chairman Way turned the chair to Vice-Chairman Ferrin at 7:48 a.m.

Representative Way introduced the bill assisted by David Purinton, President Purico Fleet Services.

Speaking to the bill and providing a legal opinion was Mark Shurtleff, Attorney General.

Speaking in opposition to the bill:

Chris Purcell, State Farm Insurance
Francine Giani, Director, Division of Consumer Protection

MOTION: Representative Ferry moved to amend as follows:

1. Page 2, Line 49: After "the" delete "daily"
2. Page 2, Line 49: After "rate" delete "on the" and insert "in the actual"

The motion passed unanimously with Representatives Bigelow and Curtis absent for the vote.

MOTION: Representatives Way moved to pass 1st Substitute H.B. 342 out favorably as amended. The motion passed 6-5-2. Voting in favor of the motion, Representatives Bennion, Bryson, Ferry, Thompson, Ferrin and Way,; voting in opposition to the motion, Representatives Arent, Daniels, Hendrickson, Hutchings, and Tyler; and absent for the vote Representatives Bigelow and Curtis.

MOTION: Representative Bennion moved to approve the minutes of January 31, February 4, and February 5, 2002 with the following change to February 5:

On page 5 delete the following line: "At the request of Representative Ferrin the following transcription is placed in the minutes."

The motion passed with Representative Arent voting in opposition to the motion and Representatives Bigelow and Curtis absent for the vote.

MOTION: Representative Thompson moved to pass H.B. 270 out with a favorable recommendation.

SUBSTITUTE

MOTION: Representative Arent moved to adjourn. The motion passed with Representatives Bennion, Bryson, Thompson, and Ferrin voting in opposition to the motion and Representatives Bigelow and Curtis absent for the vote. The meeting adjourned at 8:32 a.m.

Rep. Glenn L. Way, Chair