# MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

# Seventy-Seventh Session May 17, 2013

The Senate Committee on Judiciary was called to order by Chair Tick Segerblom May 17, 2013, Room 2149 at 9:19 a.m. on Friday, in of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 Washington Avenue, Las Vegas, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

## **COMMITTEE MEMBERS PRESENT:**

Senator Tick Segerblom, Chair Senator Ruben J. Kihuen, Vice Chair Senator Aaron D. Ford Senator Justin C. Jones Senator Greg Brower Senator Scott Hammond Senator Mark Hutchison

## **GUEST LEGISLATORS PRESENT:**

Assemblywoman Olivia Diaz, Assembly District No. 11 Assemblywoman Marilyn Dondero Loop, Assembly District No. 5 Assemblyman James Ohrenschall, Assembly District No. 12

# **STAFF MEMBERS PRESENT:**

Mindy Martini, Policy Analyst Nick Anthony, Counsel Linda Hiller, Committee Secretary

# **OTHERS PRESENT:**

Bill Uffelman, President, Nevada Bankers Association

Ann C. Pongracz, Senior Deputy Attorney General, Office of the Attorney General

Keith Munro, Assistant Attorney General, Office of the Attorney General

Paula Berkley, Nevada Network Against Domestic Violence
John McCormick, Rural Courts Coordinator, Court Services Supervisor,
Administrative Office of the Courts, Nevada Supreme Court
James Jackson, Nevada Judges of Limited Jurisdiction

## **Chair Segerblom:**

I will open the meeting of the Senate Committee on Judiciary with a work session on <u>Assembly Bill (A.B.) 395</u>. We have three amendments in our work session document (Exhibit C).

ASSEMBLY BILL 395 (1st Reprint): Revises provisions regarding common-interest communities. (BDR 10-1013)

#### Senator Brower:

My comment on this bill is to suggest that if the conduct referred to in this bill violates laws, it seems as if local police could be called to have the person prosecuted.

# Chair Segerblom:

We have looked at all the amendments and will accept Senator Jones' proposed Amendment 8906, Exhibit C, pages 2 and 3.

SENATOR JONES MOVED TO AMEND AND DO PASS AS AMENDED A.B. 395.

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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## Chair Segerblom:

I will open the work session on A.B. 98, originally sponsored by Assemblyman Paul Aizley and Assemblywoman Ellen B. Spiegel. We are removing Assemblywoman Spiegel as a sponsor at this time.

ASSEMBLY BILL 98 (1st Reprint): Revises various provisions relating to common-interest communities. (BDR 10-488)

## Mindy Martini (Policy Analyst):

I have a work session document for this bill (<u>Exhibit D</u>). There are 11 proposed amendments.

## Chair Segerblom:

I have a conceptual amendment to propose, which is to delete everything except section 1 in the current bill. We will amend the bill with Assemblyman Aizley's proposed Amendment 8706, pages 3 through 10 of <a href="Exhibit D">Exhibit D</a> and the second amendment proposed by Michael Joe, proposed Amendment 8973, pages 32 through 44 of <a href="Exhibit D">Exhibit D</a>. The thought is to keep homeowners' association issues alive, but there are too many moving parts to finish it today. In conjunction with Assembly Judiciary Committee Chair Jason M. Frierson, we have a plan that will be announced.

### **Senator Jones:**

Is there anything in this now that relates to superpriority?

## Chair Segerblom:

No.

SENATOR KIHUEN MOVED TO AMEND AND DO PASS AS AMENDED A.B. 98.

SENATOR JONES SECONDED THE MOTION.

THE MOTION CARRIED (SENATORS BROWER, HAMMOND AND HUTCHISON VOTED NO).

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## Chair Segerblom:

I will open the work session on A.B. 300.

ASSEMBLY BILL 300 (1st Reprint): Revises provisions governing real property. (BDR 9-961)

#### Ms. Martini:

I have a work session document for this measure (<u>Exhibit E</u>). It has five amendments.

## Chair Segerblom:

Mr. Uffelman, is your amendment on page 3 of Exhibit E consistent with the amendment from Lance C. Earl on page 2?

## Mr. Uffelman:

If you struck Item II in his amendment, and use our language of May 17, we will have accomplished his goal.

#### **Senator Jones:**

Is Assemblyman Frierson okay with this?

#### Mr. Uffelman:

Yes. He made the last change on it.

### **Senator Jones:**

On the other amendments, do we know if the sponsor has accepted them?

## Chair Segerblom:

He does not know about the amendments from Michael Buckley or Phillip A. Olsen.

# Ann C. Pongracz (Senior Deputy Attorney General, Office of the Attorney General):

Regarding the inclusion of the word "local," I talked to Mr. Uffelman earlier in the week, and we agreed the local number should be included within the term "toll-free" because local numbers are toll-free. Subsequent to that conversation, I had further conversation with Mr. Earl, and he was concerned that given the Legislative history here—where the toll-free number was referred to as an 800 number—he would be more comfortable including the words "local or." The "local or" language was included in some material provided to Assemblyman Frierson, and I believe he signed off on it. The Attorney General (AG) takes no position on this.

#### Senator Hutchison:

Are you okay with first three amendments?

# Ms. Pongracz:

Yes.

#### Senator Hutchison:

Have you had a chance to look at the amendments proposed by Michael Buckley or Phillip Olsen? I know Mr. Olsen's amendment was not considered a friendly amendment by the sponsor. Do you have a comment on either amendment?

## Ms. Pongracz:

The Attorney General's Office does not support the amendment by Mr. Olsen. We have not seen Mr. Buckley's amendment, but if this one is like the others that were submitted, we do not support it.

## Chair Segerblom:

Since neither of these amendment sponsors testified and we have not had a chance to question them, I would also oppose those amendments.

## **Senator Hutchison:**

We have agreement on three amendments. Is that correct?

#### Senator Brower:

Mr. Uffelman, with which amendments are you in agreement? I ask this to put our situation into context. We passed A.B. No. 284 of the 76th Session with little fanfare.

Almost immediately, we heard from everybody in the industry about how terrible the bill was. Here we are now, trying to fix it. I want to make sure that on June 4 we are not going to get calls saying we screwed it up again. Do we have a general consensus that this is a good fix to the problems created by the 2011 passage of that bill?

#### Mr. Uffelman:

This bill, with these three substantive amendments we discussed, will fix the problems. Delaying the effective date until January 1, 2014, will keep everything on hold that has been on hold since October 1, 2011. I do not approve the Chair's verbal amendment changing the effective date. We recommended the bill be effective on passage and signature.

#### Senator Brower:

The Chair apparently does not like that date?

## Chair Segerblom:

No, I think we need to give everybody time to adjust and make sure the property values do not drop immediately.

## **Senator Brower:**

What is the AG's position?

# Ms. Pongracz:

The Attorney General did agree to an earlier change that would have made this bill effective on passage. However, we recognize that the Chair is the Chair.

#### **Senator Brower:**

Yes, but is it good policy in the view of the AG, who has been in the middle of these negotiations and has a keen interest in fixing this problem?

# Keith Munro (Assistant Attorney General, Office of the Attorney General):

We have been working with many different parties on this. We agreed on passage and approval, and we are going to stand on that.

#### Senator Brower:

Are you saying that the Attorney General's Office does not agree with an effective date other than passage and approval?

#### Mr. Munro:

No, that would be a mischaracterization of what I just said. We are a party working on this bill. You as Legislators are also a party. You set the policy; you are the final policy maker. If you feel there is a better policy to set, we will accept that. We work through negotiations with many different people. We came to the conclusion that we would accept upon passage and approval. If this Committee has a position that is different from the parties who were involved, we will accept that.

## Senator Brower:

So you do not oppose the Chair's amendment for a later effective date?

## Mr. Munro:

We accept the authority of this Committee.

#### Senator Ford:

I want to highlight that there were many parties working on this bill, as you indicated. Some members of that working group think it is better policy to have a later effective date. The Chair has talked to others who were involved. I support the amendment to move the effective date to January 1, 2014.

#### Senator Brower:

Mr. Munro, can you help us understand why your office would prefer the earlier effective date so we can understand the policy implications of the proposed amendment?

#### Mr. Munro:

We were involved with negotiations with many different people. We recognized there was an interest in getting clarity immediately, so we agreed to passage and approval.

#### **Senator Brower:**

You obviously prefer passage and approval over the later effective date. Why?

#### Mr. Munro:

We agreed to passage and approval based on the negotiations.

#### **Senator Brower:**

It sounds like the AG's Office does not care about this change, and I will go with that.

#### Senator Ford:

It is my understanding that Assemblyman Frierson also agrees with the later effective date.

## Chair Segerblom:

That is correct.

# Ms. Pongracz:

I appreciate Mr. Munro's statement, and I agree with him.

## Chair Segerblom:

I think we agree on adding the first three amendments to this bill.

#### Senator Jones:

I agree to the Chair's amendment but not for the reasons stated by him.

### Senator Hutchison:

I support the Chair's amendment because the AG's Office has made it clear it does not care. If there were clear objections to the later effective date, we would have heard them today.

# Nick Anthony (Counsel):

To clarify, was the motion to delete Item II from Lance Earl's amendment?

#### Mr. Uffelman:

Yes, delete Item II from Mr. Earl's amendment. Amend my amendment to say a "local or toll-free" and leave the rest of my amendment intact. The language at the end of my amendment is different. Mr. Earl did not do what we had done with Assemblyman Frierson.

SENATOR FORD MOVED TO AMEND AND DO PASS AS AMENDED A.B. 300.

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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#### Chair Segerblom:

I will open the work session hearing on A.B. 313.

ASSEMBLY BILL 313 (1st Reprint): Prohibits the tracking of a mobile phone by an investigative or law enforcement officer without a court order in certain circumstances. (BDR 14-421)

# Assemblywoman Olivia Diaz (Assembly District No. 11):

We know that eventually we are going to come to a compromise with all the parties this Session. I have spoken to Assemblywoman Peggy Pierce, and she agreed to go along with the study. She said she hopes that by next Session other states will have passed similar legislation and Nevada will be ready for it.

We have agreed to this going into a study, which is what we have in the first proposed amendment on pages 2 through 6 of the work session document (Exhibit F).

SENATOR FORD MOVED TO AMEND AND DO PASS AS AMENDED A.B. 313.

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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# Chair Segerblom:

I will open the work session hearing on A.B. 207.

ASSEMBLY BILL 207 (1st Reprint): Revises provisions relating to juveniles. (BDR 5-51)

#### Ms. Martini:

I have a work session document for this bill (<u>Exhibit G</u>). There are two amendments.

## Assemblyman James Ohrenschall (Assembly District No. 12):

I have worked closely with all the parties, and although the two amendments are nearly identical, we did not come to a final agreement.

# Chair Segerblom:

You do not support the amendment from Sue Meuschke, page 6 of Exhibit G?

## Assemblyman Ohrenschall:

No, and neither did the prosecutors.

# Chair Segerblom:

We will use Assemblyman Ohrenschall's proposed Amendment 8845, then, pages 2 through 5 of Exhibit G.

SENATOR FORD MOVED TO AMEND AND DO PASS AS AMENDED A.B. 207.

#### SENATOR JONES SECONDED THE MOTION.

#### Senator Ford:

I make this motion based on the premise that you have had communication with the Nevada Network Against Domestic Violence (NNADV) and have accepted every amendment from them with the exception of this last one requiring a prosecutor to document on the record the considerations that led to the decision not to charge battery which constitutes domestic violence. Is that right?

## Assemblyman Ohrenschall:

That is correct. Unfortunately, without the two lines in their amendment, members of the NNADV are opposed to my amendment. I have done everything to try to address their concerns and accept all of their language except for the last two lines. The prosecutors tell me this is a technical concern that is not good for their practice to have in statute.

#### Senator Brower:

I also did not agree with the last two lines and understand why the district attorneys cannot accept it. My understanding was that this was part of the reason the NNADV did not agree with the bill.

## **Assemblyman Ohrenschall:**

In the beginning, the NNADV vehemently opposed the bill. We met with them and with all the parties and worked out an amendment which I understood the Advocates to support. When it came back from the Legal Division, the group had concerns, and I attempted to address those concerns. However, the last two lines were not supported by the prosecutors, so we did not support that part of the amendment either.

#### **Senator Brower:**

I have worked with NNADV on these issues before and have concerns that this bill waters down the law in prosecuting domestic violence crimes. Until NNADV members tell me they are comfortable with this bill, I will have to oppose it.

#### **Assemblyman Ohrenschall:**

Short of accepting their amendment, the members of that group are opposed to the bill. Unfortunately, I could not accept their amendment and prosecutors feel they would be hindered by what it would do to their process.

I do not feel discretion is watering anything down. There is nothing in this bill that prevents prosecutors from prosecuting battery domestic violence when they feel it is appropriate.

## Senator Ford:

I support this bill. I was under the impression that NNADV members support the bill with the proposed amendment they submitted. We have accepted everything in that organization's amendment except one line, which is an important consideration to me. Compromise is always an important component of legislation. I agree that essentially, the granting of discretion is not going to undermine what we are trying to do.

#### **Senator Brower:**

Can we get some clarification from NNADV?

# Paula Berkley (Nevada Network Against Domestic Violence):

We do not support this bill.

# Chair Segerblom:

Even with the amendment you offered?

## Ms. Berkley:

No.

#### Chair Segerblom:

I want to put on the record that my understanding is that basically, NNADV has some fear of a domino effect. The domino theory has been disproven. It is possible to go back and correct something without starting a chain of events that will unravel all the domestic violence laws.

# **Assemblyman Ohrenschall:**

Through our negotiations on the amendment to the Assembly, I thought we had a deal; something NNADV felt was reasonable. Working with all the parties and the University of Nevada, Las Vegas, William S. Boyd School of Law Juvenile Justice Clinic, I was surprised to hear that even with its own amendment, the NNADV does not support this bill.

## Ms. Berkley:

At the hearing, we had proposed amendments but we could not present the underlying issues because we ran out of time. We had been encouraged to work something out, but there is a difference when representing those who cannot represent themselves. If I am going to properly protect victims of domestic violence, I cannot support this bill. I think tragic results could occur as a result of this bill.

#### **Senator Brower:**

If this bill can in any way work to water down our domestic violence laws, I cannot support it.

# Assemblyman Ohrenschall:

I think the term "water down" does not fit this situation. Nothing in this bill prevents law enforcement from charging domestic violence. Many examples were given in Assembly and Senate hearings about children charged with domestic violence coming out of a suicide attempt or a scuffle with their sibling. These are situations where mental health treatments would help, but the existing one-size-fits-all is not in the best interest of those children. This bill is about them.

#### Senator Ford:

I was under the presumption that the NNADV would have agreed to this bill if its amendment had been accepted in toto. In this legislative process, we typically do not offer amendments and then still object to the bill. When you are offering amendments, it is usually because you are going to support the bill with the amendment. My misunderstanding is what led to my motion. Having heard now that the advocacy group does not support its own amendment, I have to rescind my motion.

#### Senator Hammond:

I have spent a lot of time talking to the sponsor of this bill, and I understand what he is trying to get at. However, having heard the testimony, I could never do anything to go against the advocacy group.

## **Senator Ford:**

I have no ill will toward the sponsor, either, but we very seldom hear of a group that offers an amendment and then does not support the bill with its own

amendment—especially when we are talking about something as important as this. I apologize, but I cannot support this bill.

# **Assemblyman Ohrenschall:**

My opposition to the NNADV amendment was because of what I heard from the prosecutors. Of course, I would be willing to accept the group's amendment if it is the pleasure of the Committee. I was just surprised that NNADV was still not supportive of the bill.

## Chair Segerblom:

Sounds like the goalposts are moving on you.

## **Assemblyman Ohrenschall:**

I think you are right.

## **Senator Hutchison:**

This is unexpected. I cannot support it either.

# Chair Segerblom:

I apologize to the sponsor, but we do not have the votes. To Ms. Berkley, that is not appropriate. Do not come to me with an amendment and then say you are going to oppose the bill if we pass it with the amendment. You have real problems with me.

I will close the work session hearing on A.B. 207. If the parties can get together and come to a compromise in the recess, we will revisit this bill later in the day.

I will open the hearing on A.B. 54.

ASSEMBLY BILL 54 (2nd Reprint): Revises provisions relating to fees charged and collected in justice courts. (BDR 1-388)

## Ms. Martini:

I have a work session document on this measure sponsored by the Nevada Supreme Court (Exhibit H). There is one amendment.

# John McCormick (Rural Courts Coordinator, Court Services Supervisor, Administrative Office of the Courts, Nevada Supreme Court):

This bill provides additional funds for the betterment of the Justice Court and additional funds into the county's general fund, so both the county and the court win under this measure.

# James Jackson (Nevada Judges of Limited Jurisdiction):

We agree with the amendments and support this bill.

SENATOR HUTCHISON MOVED TO AMEND AND DO PASS AS AMENDED A.B. 54.

SENATOR BROWER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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## **Chair Segerblom:**

I will reopen the hearing on <u>A.B. 207</u>, Assemblyman Ohrenschall's bill. We understand the parties have reached a compromise.

## **Assemblyman Ohrenschall:**

We were not able to reach an agreement on the domestic violence issue. We want to delete everything except section 3 in my amendment. That is an important clarification of the law affecting juvenile probation.

# Ms. Berkley:

We agree with section 3.

SENATOR FORD MOVED TO AMEND AND DO PASS AS AMENDED A.B. 207.

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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## **Chair Segerblom:**

I will open the work session hearing on A.B. 240.

ASSEMBLY BILL 240 (1st Reprint): Revises provisions relating to civil actions. (BDR 3-1021)

#### Ms. Martini:

I have a work session document on this bill (<u>Exhibit I</u>). There are two amendments.

## Senator Ford:

At the beginning of the May 3 hearing on this bill, there were a couple of presumptions being made by members of this Committee. Those presumptions were also made by the Assembly regarding the state of the law. The proponents of the bill have presumed the state of the law is joint and several liability. The motion I am about to make presumes that as well—without proclaiming it as the current state of the law.

We have all spoken to dozens of lawyers on all sides of this issue to understand what the current state of the law is, and no one knows. We understand the Supreme Court is getting ready to decide a case that may deal with this issue. With that context, I propose to use proposed Amendment 8980, pages 4 and 5 in our work session document, Exhibit I.

SENATOR FORD MOVED TO AMEND AND DO PASS AS AMENDED A.B. 240 WITH PROPOSED AMENDMENT 8980.

This amendment strikes out "is asserted as a defense," in section 1, subsection 1, and replaces it with "is a bona fide issue." At the bottom of that paragraph, it adds "Comparative negligence is not a bona fide issue if the trier of fact finds no comparative negligence on the part of the plaintiff."

As we were told during the May 3 testimony, the genesis of this bill was that the mere assertion of comparative negligence as an affirmative defense was sufficient to convert a joint and several case to a several case. That is an unfair notion in my opinion. This bill was intended to require proof before a case was automatically considered converted.

The language now proposed to be added under this amendment tracks language used in *Buck v. Greyhound Lines, Inc.*, 105 Nev. 756, 783 P.2d 437 (1989). The bona fide issue is right out of this case. It provides opportunity for the assertion and requires proof without disallowing the judge before trial to determine —via motion in limine or otherwise—whether comparative negligence is a bona fide issue.

#### SENATOR KIHUEN SECONDED THE MOTION.

#### **Senator Hutchison:**

We try to find as much common ground as we can in this Committee, but I cannot support this bill. I feel it goes too far. Even though this language comes out of *Greyhound*, that case was interpreted in the 1973 amendments as opposed to the 1987 amendments. I would like to see what the Supreme Court has to say.

#### **Senator Brower:**

I cannot support it either. In the last week, I have had 25 different conversations with lawyers about what the current state of the law is in this area. I have received nearly 25 different answers. That is the problem—until we can agree on what the law is, I am reluctant to change it. There is a pending Nevada Supreme Court case which has been fully briefed, so when that is resolved it should provide an appropriate platform to tweak *Nevada Revised Statute* (NRS) 41.141 in the next Legislative Session if necessary. The bill as amended complicates things even further.

#### Senator Hammond:

I cannot support this bill either. I spent a lot of time on this bill with both sides. It was a tremendous learning experience for me. I agree that there has been a lot of confusion on this issue.

## Senator Ford:

On the second page of the proposed 8980 amendment, section 1, subsection 3, there is some strikethrough language that needs to be ignored. Where it says "in such an action," that needs to be left in. Also, in section 1, subsection 4, the strikethrough word, "such" should be left in the bill.

One of the dozens of people I spoke to about this case reminded me that simply because I did not receive a case reference stating the current state of the law

since *Buck v. Greyhound Lines, Inc.* does not mean that it is not the current state of the law. His point was that if we never again hear a recitation of *Brown v. Board of Education*, 347 U.S. 483 (1954), we will still know that *Brown v. Board of Education* is the state of the law. That made sense to me.

If the current state of the law is joint and several, then this clarifies the current state of the law to indicate that you have to do more than just assert an affirmative defense; you have to prove it. Before you prove it, there is an opportunity to determine the bona fides of that issue; the motion in limine, as judges always have.

I believe that if the Supreme Court decides this issue and agrees that the current state of law is joint and several, then this bill clearly has applicability and some utility. But if the Court determines that the current state of the law is several, then this bill ceases to have an applicability.

#### Senator Hutchison:

Is it your intent in making the motion to eliminate or hinder the court pretrial from making the determination on comparative negligence?

### Senator Ford:

Not at all. Motions in limine remain as appropriate as ever. The only thing I want to address in this is the assertion of an affirmative defense being sufficient to convert a case from joint and several to several.

THE MOTION CARRIED (SENATORS BROWER, HAMMOND AND HUTCHISON VOTED NO).

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## Chair Segerblom:

I will open the work session hearing on A.B. 378.

ASSEMBLY BILL 378 (1st Reprint): Revises provisions governing spendthrift trusts. (BDR 13-656)

#### Ms. Martini:

I have a work session document for this bill (<u>Exhibit J</u>) with two proposed amendments.

# Assemblywoman Marilyn Dondero Loop (Assembly District No. 5):

The original bill was amended by Layne Rushforth and Bob Dickerson to make some minor changes, pages 2 through 8 of <a href="Exhibit J">Exhibit J</a>. It was recently amended further by Steve Oshins, and I have a letter (<a href="Exhibit K">Exhibit K</a>) with those changes to add to the first proposed amendment.

#### **Senator Jones:**

I support this bill. I know there was some opposition late in the process. Mr. Oshins was one of the most vocal. He assured me he would make sure the others were on board with this amendment.

#### Senator Brower:

Does the Probate and Trust Law Section of the State Bar of Nevada approve of this bill as amended?

## **Senator Jones:**

No, because those individuals have not been able to make time to look at the bill and all the amendments. This has been a moving target from the start. As I said, Mr. Oshins is committed to getting the rest of the members who had expressed opposition to support the bill and amendments.

#### Senator Brower:

But we still do not have that consensus?

## **Senator Jones:**

I cannot give you that right now, but Mr. Oshins is well respected.

## **Senator Brower:**

There is a not-so-silent majority out there of well-respected trust and estates lawyers who continue to oppose this bill.

#### Assemblywoman Dondero Loop:

I would respectfully say that there are a whole lot of other attorneys who have concurred with this bill.

## Chair Segerblom:

After a consultation, we do have an amendment proposal we hope will be amenable to the Committee.

#### Senator Jones:

I have talked extensively with the sponsor and members of the Probate and Trust Section on this bill, and, hopefully, we have something we can all live with. We will vote out the bill with the Rushforth amendment as amended by the Oshins amendment. We will let the members of the Probate and Trust Section know they have a week to come up with something they can agree on. If it is acceptable with the sponsor, it will either go in a floor meeting by next Friday's deadline, or if there is not enough time, it will go to a conference committee and we will work it out before the end of Session. We do not want to make this a partisan issue because it is not.

## **Senator Hutchison:**

I will vote no right now and reserve my right to change my vote in a week.

### Senator Hammond:

I will do the same and may also vote differently on the floor.

## **Senator Ford:**

I vote yes.

## **Chair Segerblom:**

I will vote yes no matter what.

SENATOR JONES MOVED TO AMEND AND DO PASS AS AMENDED A.B. 378.

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED (SENATORS HAMMOND AND HUTCHISON VOTED NO. SENATOR BROWER WAS ABSENT FOR THE VOTE).

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# Chair Segerblom:

Seeing no one here for public comment, I will close the work session of the Senate Committee on Judiciary at 5:16 p.m.

	RESPECTFULLY SUBMITTED:
	Linda Hiller, Committee Secretary
APPROVED BY:	
Senator Tick Segerblom, Chair	
DATE:	

EXHIBITS				
Bill	Exhibit		Witness / Agency	Description
	Α	2		Agenda
	В	6		Attendance Roster
A.B. 395	С	6	Mindy Martini	Work Session Document
A.B. 98	D	98	Mindy Martini	Work Session Document
A.B. 300	Е	8	Mindy Martini	Work Session Document
A.B. 313	F	8	Assemblywoman Olivia Diaz	Work Session Document
A.B. 207	G	6	Mindy Martini	Work Session Document
A.B. 54	Н	4	Mindy Martini	Work Session Document
A.B. 240	ı	5	Mindy Martini	Work Session Document
A.B. 378	J	9	Mindy Martini	Work Session Document
A.B. 378	Κ	2	Assemblywoman Marilyn	Proposed Amendment
			Dondero Loop	from Steve Oshins