

CONFERENCE COMMITTEE ON HB 2865B

July 14, 2003 Hearing Room 357

3:00 p.m. Tape 1

MEMBERS PRESENT: **Rep. Max Williams, Chair**
 Sen. Ginny Burdick
 Rep. Bob Ackerman
 Sen. John Minnis
 Rep. Gordon Anderson

STAFF PRESENT: **Bill Taylor, Counsel**
 Patsy Wood, Office Coordinator

MEASURE/ISSUES HEARD: **HB 2865B Work Session**

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 1, A		
003	Chair Williams	Calls the conference committee on HB 2865B to order at 3:07 p.m. and opens a work session.
<u>HB 2865B WORK SESSION</u>		
007	Bill Taylor	Committee Counsel. Describes the Senate amendments to HB 2865B which allows district attorney to treat certain nonperson felonies as Class A misdemeanors and this bill's relation to HB 2759. Discusses the B9, B10 and B11 amendments to HB 2865B (EXHIBITS A-C) .
059	Chair Williams	Discusses the bill options with the amendments.
065	Sen. Burdick	Asks for clarification on the B10 amendments and if the fine remains at the misdemeanor level.
068	Taylor	Responds affirmatively.
070	Sen. Burdick	Would like to see the fine stay at a high level and wonders about the maximum fine for a Class C felony.
073	Taylor	Responds \$100,000.00.
074	Sen. Burdick	Asks if some Class C felonies carry a lower fine.
075	Taylor	Explains the relation of fines to some felonies saying the \$100,000.00 figure relates to Class C felonies.
080	Chair Williams	Notes that the B9 amendments establish a maximum fine without putting a dollar-figure to it.
085	Sen. Burdick	Likes the option of imposing a larger fine.
088	Rep. Ackerman	States his reasons for supporting the B11 amendments.
102	Chair Williams	Discusses the policy decision change in the misdemeanor-to-violation transfer made to HB 2759 before it was sent to Ways & Means.
122	Rep. Anderson	Asks for clarification of the amendments on the Senate side.
124	Sen. Minnis	Discusses why they wanted to keep the fine at the felony level. Uses the example of a sex abuse II case being tried as a misdemeanor, but the fine levied at a higher level because sex

142	Rep. Anderson	offenders often have assets. Wonders if these fines are currently being levied against offenders who can pay the fine.
144	Sen. Minnis	Assumes that they are.
150	Chair Williams	Responds that the \$100,000.00 fine is a maximum that “may” be imposed. Asks which amendment Rep. Ackerman prefers.
172	Rep. Ackerman	Says he is trying to figure out the difference in amendments because the fine cap would be \$100,000.00 either way.
173	Chair Williams	Responds that is the most likely result.
178	Rep. Ackerman	Asks if they are only reducing Class C felonies.
179	Chair Williams	Confirms that is the way the legislation is written.
180	Taylor	Notes instances where the fine will be imposed.
184	Sen. Minnis	MOTION: Moves to ADOPT HB 2865-B9 amendments dated 07/01/03.
		VOTE: 5-0
		AYE: In a roll call vote, all members present vote Aye.
192	Chair Williams	The motion CARRIES.
199	Rep. Ackerman	MOTION: Moves HB 2865B to the floor with the recommendation that the House CONCUR in Senate amendments dated 06/17/03 and that the bill be FURTHER AMENDED by the B9 amendments and the measure be REPASSED.
		VOTE: 5-0
211	Chair Williams	Hearing no objection, declares the motion CARRIED. REP. WILLIAMS will lead discussion on the HOUSE floor SEN. BURDICK will lead discussion on the SENATE floor
216	Chair Williams	Closes the work session on HB 2865B and adjourns the meeting at 3:23 p.m.

EXHIBIT SUMMARY

- A – HB 2865B, B9 amendments dated 7/1/03, submitted by staff, 1 pg**
- B – HB 2865B, B10 amendments dated 7/1/03, submitted by staff, 1 pg**
- C – HB 2865B, B11 amendments date 7/10/03, submitted by staff, 1 pg**