

**CONFERENCE COMMITTEE ON HB 2304B**

**June 24, 1999 Hearing Room 357**

**1:30 p.m. Tape 1**

**MEMBERS PRESENT: Rep. Mannix, Chair**

**Sen. Bryant**

**Rep. Sunseri**

**Sen. Courtney**

**Rep. Hansen**

**Sen. Brown**

**STAFF PRESENT: John Horton, Counsel**

**Patsy Wood, Administrative Support**

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
<b>TAPE 1, A</b>		
004	Chair Mannix	Calls the meeting to order at 1:55 p.m.
<b><u>HB 2304B WORK SESSION</u></b>		
004	Counsel Horton	HB 2304B provides exceptions for keeping a defendant longer than 60 days if "good cause" is found. Discusses the B7 amendments that address "extraordinary circumstances", and the B8 amendments that clarify an extension of more than 60 days means an extension of custody and postponement of the date of trial <b>(EXHIBITS A &amp; B)</b> .

023	Ingrid Swenson	<b>Oregon Criminal Defense Lawyers Association</b>  Testifies as neutral to HB 2304B and the B8 amendments stating that the statute deals with custody alone and not the trial date.
030	Dale Penn	<b>Marion County District Attorney</b>  Testifies in support of HB 2304B which states that the court has authority to continue the custody status as well as change the trial date. The statute was somewhat confusing in that it continued the trial, but not necessarily the custody. The B8 amendments offer good clarification and fall into line with the policy of HB 2304B.
037	Chair Mannix	You're not objecting to the B8 amendments; you just don't think they are necessary?
038	Swenson	Yes. It is a reference to the trial date in a statute that deals with custody.
040	Counsel Horton	The language states that the extension "may" be granted, not "shall".
044	Sen. Bryant	<b>MOTION: Moves to ADOPT HB 2304 B8 amendments dated 06/24/99.</b>
		<b>VOTE: 6-0</b>
		<b>Chair Mannix</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
046	Chair Mannix	The B7 amendments give the extension limit of 180 days unless the court finds "extraordinary circumstances" to extend further.
051	Swenson	The exceptions are in danger of swallowing the rule. If 180 days is not the absolute limit, there isn't much of the 60-day rule that is left. There has to be some limit.
059	Chair Mannix	Does anyone on the committee want the B7 amendments?
060	Sen. Courtney	No.
063	Rep. Sunseri	<b>MOTION: Moves HB 2304B to the floor with the recommendation that the House concur in Senate amendments dated 05/27/99 and that the bill be further amended by adopting the B8 amendments</b>

		dated 6/24/99 and repass the Measure.
		<b>VOTE: 4-2</b> <b>AYE: 4 - Rep. Mannix, Rep. Sunseri, Sen. Bryant, Sen. Courtney</b> <b>NAY: 2 - Sen. Brown, Rep. Hansen</b>
	<b>Chair Mannix</b>	<b>The motion Carries.</b>  <b>REP. MANNIX and SEN. BRYANT will lead discussion on the floor.</b>
075	Chair Mannix	Adjourns the meeting at 2:03 p.m.

Submitted By, Reviewed By,

Patsy Wood, Sarah Watson,

Administrative Support Office Administrator

#### **EXHIBIT SUMMARY**

**A ñ HB 2304B, -7 amendments (LC 1875), dated 6/22/99, staff, 1 pg.**

**B ñ HB 2304B, -8 amendments (LC 1875), dated 6/24/99, staff 3 pgs.**