

CONFERENCE COMMITTEE ON HB 2612

June 21, 1999 Hearing Room 357

8:30 a.m. Tape 1

MEMBERS PRESENT: Rep. Mannix, Chair

Sen. Courtney

Sen. Nelson

Rep. Prozanski

Sen. Tarno

MEMBER EXCUSED: Rep. Gianella

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
TAPE 1, A		
005	Chair Mannix	Calls meeting to order at 8:34 a.m.
<u>HB 2612 WORK SESSION</u>		
008	Counsel Horton	HB 2612 creates the crime of private indecency. The B8 amendments modify the state of mind with "knowledge" only relating to subsection (d) on line 13, page 1 (EXHIBIT A) .

014	Sen. Courtney	MOTION: Moves to ADOPT HB 2612B-8 amendments dated 06/18/99.
		VOTE: 4-0-2 EXCUSED: 2 - Sen. Nelson, Rep. Gianella
	Chair Mannix	Hearing no objection, declares the motion CARRIED.
017	Sen. Courtney	MOTION: Moves HB 2612B to the floor with the recommendation that the House concur in Senate amendments dated 06/1/99 and that the bill be further amended by adopting the B8 amendments dated 06/18/99 and the measure be repassed.
020	Counsel Horton	Is HB 2612 meant to pre-empt existing city ordinances relating to a similar topic?
022	Chair Mannix	It is not meant to pre-empt any existing city ordinances.
025	Rep. Prozanski	Any legislation we pass should be uniform throughout the state and I am not familiar with existing ordinances that other cities may have adopted.
029	Chair Mannix	If there is clearly a difference in statutes dealing with the same topic, then the state statute would pre-empt.
030	Counsel Horton	The City of Portland has a similar indecent exposure statute that they thought might be pre-empted by this legislation. That statute states that if a person exposes themselves with or without the intent to sexually gratify themselves, that is a Class B misdemeanor.
036	Sen. Tarno	Isn't that public exposure as opposed to private exposure?
036	Counsel Horton	Yes.
037	Chair Mannix	That is a public act and HB 2612 focuses on private acts of indecency so this bill should not pre-empt their existing ordinance.
043		VOTE: 5-0-1

		EXCUSED: 1 - Rep. Gianella
	Chair Mannix	Hearing no objection, declares the motion CARRIED. SEN. COURTNEY AND REP. PROZANSKI will lead discussion on the floor.
047	Chair Mannix	Closes the work session on HB 2612.
047	Chair Mannix	Adjourns the meeting at 8:38 a.m.

Submitted By, Reviewed By,

Patsy Wood, Sarah Watson,

Administrative Support Office Administrator

EXHIBIT SUMMARY

A ñ HB 2612B, -8 amendments (LC 2573), dated 6/18/99, staff, 1 pg.