

CONFERENCE COMMITTEE ON SB 35

July 1, 19Y7 Hearing Room

357

1:30 Tape

1

MEMBERS PRESENT: **Sen. Shirley Stull, Chair**

Rep. **Peter Courtney**

Rep. **John Minnis**

Sen. **Eileen Qutub**

Rep. **Ron Sunseri**

Sen. **Cliff Trow**

STAFF PRESENT: **Nikki Jones, Counsel**

Sarah Watson, Office Manager

MEASURE/ISSUES HEARD: Conference Committee on SB 35

These minutes are in compliance with Senate and House Rules. Only text enclosed in awtation marks reports a speaker's exact

words. For complete contents, please refer to the tapes.

Tape/# Spea'ker Comments

TAPE 1, A

003 Sen. Stull Opens the meeting at 4:55 p.m.

008 Dale Penn Representative, Oregon District Attorney's Association.

States that the intent of the bill is commendable. Discusses problems

with the bill and suggests replacement language. Asks committee to

remove Section 4 from SB 35.

035 Rep. Minnis Asks if the District Attorney's were represented when the bill had hearings.

037 Penn Does not know if District Attorneys were present for discussion.

Explains that amendments were not available for inspection.

045 Rep. Minnis Asks how the bill has problems, if the language remains in place.

049 Penn Explains that the language is related to the joinder statute not the venue

statute. Describes reasons to remove the language.

055 Rep. Minnis Indicates that the bill is specific to child physical or sexual abuse.

058 Penn Explains who and what crimes the language would be related to.

070 Rep. Minnis Verifies that under other provisions of the law, multiple trials can be joined.

073 Penn Assuming that the language is gone.

074 Rep. Minnis Asks if trials can be joined if they are for the same suspect, same victim,

and same crime.

079 Penn Indicates that the defendant would have to give consent for the trial.

081 Rep. Minnis Asks how that is different than what the bill proposes.

- CONPERENCE COMMITTEE ON SB

35

July 1,

1997

Page

2

083 Penn Suggests that if the defendant agrees to a single trial in one county, other trials can be joined if the defendant gives a waiver for the trial. Explains how the proposed legislation would change that.

095 Rep. Minnis Asks if the legislation applies to multiple victims of the same suspect in the same jurisdiction. Indicates that the victims would be allowed individual trials.

099 Penn Indicates that the same or similar character crimes can be joined.

102 Rep. Minnis Asks what happens in multiple jurisdictions.

103 Penn Indicates that multiple jurisdictions would be not)ified that their suspect can be prosecuted in other jurisdictions and they would be asked to waive their trials to resolve the issue in one jurisdiction. Explains that

the bill might allow the suspect to refuse the waiver option.

126 Rep. Minnis Agrees that the argument can be made. Expresses support for the conceptual amendments.

133 Nikkola Jones Indicates that the -B9 amendments will remove Section 4 of SB 35.

137 Rep. Minnis MOTION' Moves to ADOPT SB 35-B9 amendments dated 6/27/97.

140 Chair Stull Hearing no objections, declares the motion CARRIED.

154 Rep. Minnis MOTION: **Moves SB 35 to the floor with the recommendation that**

the House and Senate concur in amendments

dated

6/27/97 and repass the Measure.

156 Chair Stull Hearing no objections, declares the motion CARRIED.

REP. MINNIS **will lead discussion on the House floor.**

SEN. STULL **will lead discussion on the Senate floor.**

161 Sen. Stull Adjourns the meeting at 5:10 p.m.

Submitted By, Reviewed By,

Marjorie Taylor, Sarah Watson,
Administrative Support Office Manager

EXHIBIT SUMMARY

A - SB 35, -B9 amendments, Legislative Counsel, 1 p.

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