

HOUSE JUDICIARY  
SUBCOMMITTEE ON CRIME AND CORRECTIONS

Hearing Room  
Tapes - 65

MEMBERS PRESENT:

Rep. Veral Tarno, Chair  
Rep. Floyd Prozanski, Vice-Chair  
Rep. Peter Courtney  
Rep. Jerry Grisham  
Rep. Leslie Lewis

STAFF PRESENT:

Holly Robinson, Committee Counsel  
Janet Ellingsworth, Committee Assistant

MEASURES HEARD:

Work Session on HB 2316  
Public Hearing on HB 3052  
Public Hearing on HB 3288  
Public Hearing on HB 3292  
Public Hearing on HB 3379

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE , A

004 CHAIR TARNO: Convenes meeting at 8:33 A.M.

OPENS the PUBLIC HEARING on HB 3288

006 REPRESENTATIVE TONY FEDERICI, DISTRICT 1: Testimony on HB 3288.  
[EXHIBIT A]

033 SALLY J. SMITH, ADMINISTRATOR, COLUMBIA COUNTY EMERGENCY COMMUNICATIONS DISTRICT: Testimony in support of HB 3288. [EXHIBIT B]

067 REP. PROZANSKI: I understand the single concern is not that there's not current legislation but that it does not apply to the situations that your operators are faced with?

071 SMITH: That is true. When someone is abusing the 911 line, they are doing it with no thought or consideration of others trying to report a legitimate emergency.

077 REP. PROZANSKI: Based on what you've testified to as to making amendments, I assume we're looking at getting away from the language that's

in the bill reflecting the 911 emergency reporting system to be more inclusive to take in the all of the phone lines that would go into a law enforcement or fire department?

080 SMITH: To include all of the lines that go into the call reporting center.

094 CHAIR TARNO: So it is not targeted toward 911 centers or telecommunication centers?

095 SMITH: No.

097 CHAIR TARNO: In your dispatch center, you do 24 hour recording, correct?

098 SMITH: Yes.

099 CHAIR TARNO: All of those phone calls are recorded regardless of whether they are 911 or just the standard 7 digit number?

102 SMITH: Correct.

103 ROBINSON: Can you distinguish between the kinds of conduct your trying to address here and the kinds of conduct the false reports statutes deal with?

104 SMITH: Gives examples.

115 LARRY HATCH, INTERIM DIRECTOR, WASHINGTON COUNTY 911 CENTER: Testimony in support of HB 3288.

124 CHAIR TARNO: Have you had a chance to talk with your local district

attorney about prosecuting?

128 HATCH: No. We've used telephonic harassment in Beaverton.

141 DAVID YANDEL, STATE POLICE EMERGENCY MANAGEMENT DIVISION: Testimony on  
HB 3288.

144 CHAIR TARNO: To your knowledge is this supported statewide?

145 YANDEL: Yes sir.

147 CHAIR TARNO: You've had no negative feedback from the district  
attorney's office about prosecution?

149 YANDEL: No feedback at all. It's been viewed as a pro active tool for  
the statewide 911  
system for jurisdictions to rely on.

151 SMITH: The person that drafted this bill for us was our district  
attorney Dale Anderson.

CLOSES the PUBLIC HEARING on HB 3288  
OPENS the WORK SESSION on HB 3288

160 REP. GRISHAM: We had spent several hours reviewing the 911 system in  
another committee, and in doing so several of us were interested in doing  
something about the abuse of the system.

166 CHAIR TARNO: There is an amendment to conceptually amend line 4.

169 ROBINSON: To change it to 166.

170 MOTION: REP. COURTNEY: Moves conceptual amendment on line 4 of HB 3288.

174 CHAIR TARNO: The motion CARRIES.

176 MOTION: REP. COURTNEY: Moves HB 3288 as conceptually amended to  
the full committee with a do pass recommendation.

178 VOTE: In a roll call vote all members present vote AYE. REP.  
PROZANSKI  
is EXCUSED.

180 CHAIR TARNO: The motion CARRIES.

CLOSES the WORK SESSION on HB 3288  
OPENS the WORK SESSION on HB 3052

194 JIM MARQUEE, AMALGAMATED TRANSIT UNION, LOCAL 757: Testimony on HB  
3052.

196 RONALD J. HEINTZMAN, AMALGAMATED TRANSIT UNION: Testimony on HB 3052.  
[EXHIBIT C]

207 MOTION: REP. COURTNEY: Moves HB 3052 to the full committee with a do  
pass recommendation.

209 VOTE: In a roll call vote all members present vote AYE. REP.  
PROZANSKI is EXCUSED.

211 CHAIR TARNO: The motion CARRIES.

CLOSES the PUBLIC HEARING on HB 3052  
OPENS the PUBLIC HEARING on HB 3292

229 REPRESENTATIVE LARRY SOWA, DISTRICT 26: Testimony on HB 3292.

266 GINNY VAN LOO, LEGISLATIVE ASSISTANT: Testimony to HB 3292. [EXHIBIT  
D]

341 CHAIR TARNO: I agree, but how do we impose that sanction if there is  
not a range available?

352 REPRESENTATIVE LONNIE ROBERTS, DISTRICT 21: Testimony to HB 3292.

397 CHAIR TARNO: Gives example.

400 REP. ROBERTS: Those folks should be exempt.

419 VAN LOO: This is only if they carry the gun concealed.

434 CHAIR TARNO: What do you mean by firing component? Does that mean  
actually shooting a firearm?

446 VAN LOO: Yes. It does not limit it to, say 20 shots.

451 CHAIR TARNO: It does not mean "dry firing", it means live rounds?

454 VAN LOO: I think you could "dry fire" if that's what you wanted to do.

TAPE 64, A

028 STEPHEN DONNELL: Testimony in support of HB 3292.

140 VAN LOO: In the summary of the bill, where it says "imposes

proficiency requirements", I think we should delete that since we took "proficiency" out of the rest of it.

147 PAUL DEPARRIE: Testimony in support of HB 3292. [EXHIBIT E]

193 CHAIR TARNO: Your supporting this because you don't want people to get the permits?

196 DEPARRIE: I don't want people to become "target", and that's what they have become.

200 CHAIR TARNO: Would this bill make those folks become "targets"?

203 DEPARRIE: No, but this bill will probably prevent alot of people from getting permits.

205 REP. GRISHAM: Do you have a copy of the letter from the sheriff?

207 DEPARRIE: I have the original with me, I will submit a copy to you.

210 MICHAEL LYNCH, NATIONAL RIFFLE ASSOCIATION INSTRUCTOR: Testimony on HB 3292.

231 CHAIR TARNO: Then you support the bill?

235 LYNCH: I kind of have to.

237 CHAIR TARNO: You are a NRA instructor?

239 LYNCH: I am an NRA instructor.

249 CHAIR TARNO: Is it your opinion that those folks who buy a handgun who have never fired one before, should be able to demonstrate the ability to shoot a gun before they get a concealed weapons permit?

251 LYNCH: Buying a hand gun and carrying a hand gun are two different things.

255 TEX SHIVELY: Testimony on HB 3292.

331 BOB IMEL, FIREARMS MANUFACTURER: Testimony on HB 3292.

412 SHIVELY: I could not get a proficiency recommendation from NRA without paying \$35 or \$40.

438 JOHN NICHOLS, OREGON GUN OWNERS, INC.: Testimony on HB 3292.

TAPE 63, B

035 CHAIR TARNO: Explains what the intentions of the drafter of the bill are.

045 NICHOLS: Dry fire with snap caps to save the firing pin would probably be acceptable.

046 CHAIR TARNO: Do you have any problems with that?

048 NICHOLS: I would have to say if it's part of the ordinary safety course a person has to take I probably would not have a problem with it.

052 CHAIR TARNO: WE are going to take a brief recess from this bill.

CLOSES the PUBLIC HEARING on HB 3292  
OPENS the WORK SESSION on HB 2316

065 REP. PROZANSKI: Discusses and submits the -6 amendments. [EXHIBIT F, & G]

105 MOTION: REP. PROZANSKI: Moves to adopt the -6 amendments.

113 REP. LEWIS: I still am uncomfortable about removing the stalking protective order. I feel this will result in less protection for women.

121 REP. GRISHAM: I had originally voted against this concept and supported Rep. Mannix.

130 CHAIR TARNO: The motion CARRIES.

133 REP. GRISHAM: I had a concern that was addressed in a previous work session, removing the bad faith provision on page 5, line 3.

139 ROBINSON: If you look on page 8 of the -6 amendments, the bad faith language is there.

145 MOTION: REP. PROZANSKI: Moves HB 2316 as amended to the full committee with a do pass recommendation.

148 VOTE: In a roll call vote all members are present and vote AYE.

152 CHAIR TARNO: The motion CARRIES.

CLOSES the WORK SESSION on HB 2316  
OPENS the PUBLIC HEARING on HB 3292

CLOSES the PUBLIC HEARING on HB 3292  
OPENS the PUBLIC HEARING on HB 3379

160 REPRESENTATIVE JERRY GRISHAM, DISTRICT 23: Testimony on HB 3379.

235 CHAIR TARNO: I don't think it would be appropriate to show autopsy photos.

243 REP. GRISHAM: I would be willing to amend that. I was told that those were part of the court proceedings and the record.

246 CHAIR TARNO: It may not be appropriate to show photographs that may be worse than the actual crime scene itself.

248 REP. PROZANSKI: I think that is a fair assessment.

255 REP. GRISHAM: I would urge you to pass this with that conceptual amendment.

CLOSES the PUBLIC HEARING on HB 3379  
OPENS the WORK SESSION on HB 3379

262 MOTION: REP. GRISHAM: Moves to delete "autopsy" in front of the word "photos".

267 CHAIR TARNO: The motion CARRIES.

276 MOTION: REP. GRISHAM: Moves HB 3379 to the full committee as  
with a do pass recommendation.

amended

280 VOTE: In a roll call vote all members present vote AYE. REP. COURTNEY is EXCUSED.

284 CHAIR TARNO: The motion CARRIES.

CLOSES the WORK SESSION on HB 3379  
OPENS the PUBLIC HEARING on HB 3292

294 ROD HARDER, NATIONAL RIFLE ASSOCIATION: Testimony on HB 3292.

313 CHAIR TARNO: We're you aware of the proposed amendments by the drafter of the bill, Ginny Van Loo?

316 HARDER: The only amendments I saw removed the word "proficiency" but it did in fact leave firing component.

318 CHAIR TARNO: She also indicated in her testimony that dry firing may be considered.

320 HARDER: That was not what I understood. If that were true then I see no problem because we require handling of the weapon.

328 REP. PROZANSKI: The NRA would agree that dry firing would suffice?

335 HARDER: I believe NRA would accept that.

339 REP. GRISHAM: Do you have an idea of what the inclusion of this would do as far as the time line of applying for a concealed weapons permit?

347 HARDER: I believe this would back up the firing ranges severely.

360 REP. GRISHAM: Present classes do involve handling weapons?

363 HARDER: The NRA courses actually require range firing.

371 REP. GRISHAM: Does that component involve loading and unloading?

375 HARDER: It probably would not include loading and unloading if it were not in a facility where it would be safe to do so.

CLOSES the PUBLIC HEARING on HB 3292  
OPENS the WORK SESSION on HB 3292

395 CHAIR TARNO: Some of the problems we're having is that we don't have the ranges available to do the actual shooting.

400 VAN LOO: In talking with the intern that made the calls to the ranges, even though some of those ranges were private, they were more than willing to take on these classes.

TAPE 65, A

022 CHAIR TARNO: How does the Sheriff's department feel about this bill?

027 VAN LOO: I have not gone that far. My intern talked to one sheriffs county and they were in favor of the bill and more than willing to participate.

028 CHAIR TARNO: Could you ask some sheriffs what impact if any this would have on their department?

030 VAN LOO: Sure.

031 CHAIR TARNO: I still have a concern about where folks can go to shoot their guns. We need more ranges in our state.

033 VAN LOO: We've talked about dry firing. By taking that course, I actually determined what handgun worked for me.

041 REP. GRISHAM: Do you know the expense of a firing range?

043 VAN LOO: They are all over the board. The special course I took cost \$70.

050 FRANK MEECE, NATIONAL RIFLE ASSOCIATION INSTRUCTOR: Testimony in support of HB 3292.

086 CHAIR TARNO: With this bill, you would not be able to teach handgun safety in a motel, would you?

088 MEECE: I don't see why not.

099 CHAIR TARNO: You can't fire a gun.

101 MEECE: You mean if I have to fire? I'm talking about the home safety class.

103 CHAIR TARNO: What we're doing is we are going to tell folks you have to show you can shoot this gun.

107 CHAIR TARNO: With nothing further from the committee the meeting is adjourned at 10:00 A.M.

Submitted by, Reviewed by,

Janet Ellingsworth      Debra Johnson  
Committee Assistant      Committee Coordinator

EXHIBIT SUMMARY:

A - Testimony on HB 3288 - Federici - 1 page  
B - Testimony on HB 3288 - Smith - 1 page  
C - Testimony on HB 3052 - Heintzman - 2 page  
D - Testimony on HB 3292 - Van Loo - 12 pages  
E - Testimony on HB 3292 - DeParrie - 1 page  
F - Proposed amendments on HB 2316 - 13 pages  
G - Testimony on HB 2316 - Prozanski - 4 pages