

HOUSE COMMITTEE ON JUDICIARY SUBCOMMITTEE ON CIVIL LAW AND JUDICIAL
ADMINISTRATION

May 25, 1993 Hearing Room 357 1:00 p.m. Tapes 120 - ?

MEMBERS PRESENT: Rep. Tom Brian, Chair Rep. Ken Baker Rep. Jim Edmunson
Rep. Tom Mason

STAFF PRESENT: Carole Souvenir, Committee Counsel Sarah May,
Committee Clerk

MEASURES CONSIDERED: HB 2235 - Relating to Intoxicated Driver
Program Fund HB 3660 - Relating to public office HJR 70 -
Proposes consitutional amandments and relates to service
 in legislature by convicted felons HB 3233 -
Relating to law enforcements

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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. [--- Unable To Translate
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TAPE 120, SIDE A

CHAIR BRIAN: Calls the meeting to order at 1:18 P.M.

WORK SESSION ON HB 3233

CAROLE SOUVENIR, COMMITTEE COUNSEL: -2 amendments

REP. BRIAN: expanding definition of police officer, then narrowly
defining it for specific places like Black Butte or SunRiver?

CAROLE SOUVENIR, COMMITTEE COUNSEL: Yes...insert new subsection b,
the private entity must have less than 1,000 residents..Section 2 refers
to aggravated murder,,the change in...Pg. 3, Section 3, ors
233.250, lines 10-11 deleting...it would also encompass those
employed...Pg. 4, definitional change. Pg. 7, lines 11-13, refers to ..
PERS statute and would include correction officers.

REP. BRIAN:

CAROLE SOUVENIR, COMMITTEE COUNSEL:

REP. BRIAN: is it a given that if they are a special deputy, that
they are acting under supervision of ...

CAROLE SOUVENIR, COMMITTEE COUNSEL:

Steve Bennet: the contract issues are so different, it isn't a

standards or a training issue..

REP. BRIAN: as sheriffs deputize,

Russ Spencer: there is no case law that we have been able to find. we don't know whether we are covered under the tort act or not.

REP. BRIAN: this bill needs not address that.

Spencer: in this case, they are performing police actions, then they should be granted the rights of regular police officers.

Bennett: this bill was created to give them the training opportunity..

REP. BRIAN: wouldn't want to make a record. Are the limitations of Pg. 1, help narrow the concerns?

Bennett: we are satisfied.

CAROLE SOUVENIR, COMMITTEE COUNSEL: Under ORS 181. cites exhibit...would they then be in violation...

REP. BRIAN:

man from sunriver;;; that would be acceptable?

man from black butte::: that would be very difficult

Bennett: Most people will comply with .. we are presently running ten classes a year, the practical problem of getting them in, wouldn't be a problem.

Pat Ford...?: agrees.

Bennett: the board has authority to waive that...

rep. parks moves -2

PUBLIC HEARING ON HB 2235

Clark Campbell, Office of alcohol and drug Programs (DHR): Testifies and submits written testimony in support of HB 2235.(EXHIBIT)

REP. BRIAN: What ways are available to adjust the funds?

Campbell: one is staying inside the tax payers..within that one could increase the amount of the fine,,the rest of the portion of the fine..

REP. BRIAN: By what method is that assesment established?

Campbell:

REP. BRIAN: the relating clause may enable us..now is set at \$200?

Campbell:

REP. BRIAN: ORS

Campbell:

REP. BRIAN: We would also chang

TAPE 121, SIDE A

Campbell:

REP. BRIAN: It would be about \$392,000.

Campbell:

REP. BRIAN: You are short ..

Campbell: if we were to keep doing everything we are doing, yes. We are trying to figure out a different way to do things.

REP. BRIAN: If we move the bill, as it is, it would go to appropriations. Does it makes sense for the system to have a greater fee?

Campbell:

REP. BRIAN: What % of the 20,000 are ingitent?

Campbell: 20-25 % are indigent.

REP. BRIAN: Therefor do not pay..

Campbell: the judge finds if they are able to pay or not.. REP. BRIAN: If we are trying to place some additional money..even if you picked up, you would have less program

Campbell:

REP. BRIAN: reschedule for Thursday at 1:45, May

recesses..adjourns 2:00 P.M.