

HOUSE COMMITTEE ON JUDICIARY SUBCOMMITTEE ON CRIME AND CORRECTIONS

January 21, 1993 Hearing Room 357 3:00 p.m. Tape 5

MEMBERS PRESENT: Rep. Bob Tiernan Rep. Kate Brown Rep. Peter Courtney
Rep. Veral Tarno

MEMBER EXCUSED: Rep. Parks

STAFF PRESENT: Carole Souvenir, Legislative Counsel Holly
Robinson, Legislative Counsel

MEASURES CONSIDERED: HB #2251 - ppw

WITNESSES: Fred Avera, Polk County District Attorney Ann
Christian, State Court Administrator's Office

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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
Graphic ---]

TAPE 5, SIDE A

004 CHAIR TIERNAN: Calls the meeting to order at 3:00 p.m.

CAROLE SOUVENIR: Outlined bill

FRED AVERA, POLK COUNTY DISTRICT ATTORNEY: Explained bill.

045 CHAIR TIERNAN: Asked for questions.

048 REP. TARNO: Expected to cut down costs of Indigent Defense Fund?

051 FRED AVERA, POLK CO. DISTRICT ATTORNEY: No major impact.

055 REP. BROWN: No change to process?

FRED AVERA, POLK CO. DISTRICT ATTORNEY: No.

062 ANN CHRISTIAN, DIRECTOR OF INDIGENT DEFENSE SERVICES, STATE
COURT ADMINISTRATOR'S OFFICE. Discusses contracts/fiscal impact.

089 CHAIR TIERNAN: Close hearing on HB 2251

WORK SESSION ON HB 2251

097 CHAIR TIERNAN: Emergency clause?

100 FRED AVERA, POLK CO. DISTRICT ATTORNEY: There is none.

111 REP. TARNO: Discussed reducing classifications of misdemeanors

121 REP. COURTNEY: Goes into effect right away as soon as signed by Governor instead of 90 days.

131 REP. BROWN: Doesn't matter if within statute of limitations.

136 REP. COURTNEY: Should get more information on this.

144 CHAIR TIERNAN: Asking Holly Robinson about a technical question about emergency clause.

151 HOLLY ROBINSON, LEGISLATIVE COUNSEL: If there is in fact an emergency clause, it may remain in effect within five days of it's signing. The difference may be six months, or within 90 days after session ends.

177 REP. COURTNEY: Questions effectiveness of bill as soon as Governor signs if there is an emergency clause. Otherwise, without emergency clause, then 90 days

after session ends.

189 HOLLY ROBINSON, LEGISLATIVE COUNSEL: 90 days after session ends. Discusses 1989 session and timing of signing by Governor.

203 REP. COURTNEY: Senate could yank it out if we leave it in.

209 CHAIR TIERNAN: Call for question?

213 REP. COURTNEY: Motion to delete lines 25 and 26 in HB 2251

TIERNAN ADJOURNS MEETING AT 3:15 P.M.

Submitted by:

Reviewed by:

Katy Yetter
Coordinator

Betina Rothauser Clerk