

HOUSE COMMITTEE ON JUDICIARY

July 22, 1993 Hearing Room 357 1:30 p.m. Tapes 96 - 97

MEMBERS PRESENT: Rep. Del Parks, Chair Rep. Ken Baker Rep. Tom Brian
Rep. Kate Brown Rep. Peter Courtney Rep. Jim Edmunson Rep. Veral Tarno
Rep. Bob Tiernan

MEMBER EXCUSED: Rep. Tom Mason

STAFF PRESENT: Sarah May, Committee Clerk Holly Robinson,
Committee Counsel

MEASURES CONSIDERED: SB 229 - Relating to interpreters;
appropriating money SB 243 - Relating to tax court SB 334 - Relating to
possession of dangerous weapons

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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 96, SIDE A

005 CHAIR PARKS: Calls the meeting to order at 1:50 p.m.

WORK SESSION ON SB 334

(SB 334 makes intentional possession of firearm or other dangerous
weapon in public building subject to prosecution. EXHIBITS A,B,C)

009 MOTION: REP. BRIAN: Moves to ADOPT SB 334-15 AMENDMENTS.

VOTE: Hearing no objections the amendments are ADOPTED. Rep. Baker
and Rep. Mason are excused.

011 MOTION: REP. BRIAN: Moves to ADOPT SB 334-16 AMENDMENTS.

VOTE: Hearing no objections the amendments are ADOPTED. Rep. Baker
and Rep. Mason are excused.

014 MOTION: REP. BRIAN: Moves to MAKE EDITORIAL CHANGES by: pg. 1,
line 7 deleting "on the person"; pg. 1, line 20 deleting "a person
commits a class C felony if the..."; start line 20 with "Any person who
..."; pg. 2, line 1 add "shall upon conviction by guilty of a class C
felony"; pg. 3, line 19 delete "animate or inanimate".

057 HOLLY ROBINSON, COMMITTEE COUNSEL: Discusses removing "class C

felony" on pg. 2, line 1. These deletions make a substantive change.

068 REP. BROWN: Asks if it is still illegal to enter a school with a concealed handgun, if they have a permit.

071 REP. BRIAN: No, if they have a valid concealed handgun permit.

073 REP. BROWN: Where does it allow that in the bill?

074 REP. BRIAN: Cites language on pg. 1, line 17.

078 REP. BROWN: Asks about subsection 3A, regarding discharging a firearm.

082 HOLLY ROBINSON, COMMITTEE COUNSEL: Discharging is a different issue than possession of, or carrying a gun.

088 REP. EDMUNSON: Discusses a school with problems of firearms, and asks about special rules that could be applied concerning the carrying of

guns in school.

112 REP. BRIAN: It would not be the intent to allow people to just carry guns into a school.

115 REP. EDMUNSON: The law needs to be for the health and safety of the citizens.

VOTE: Hearing no objections the amendments are ADOPTED. Rep. Baker and Rep. Mason are excused.

120 MOTION: REP. BRIAN: Moves SB 334 AS AMENDED TO THE FLOOR with a DO PASS recommendation.

124 REP. BRIAN: Discusses the issues that the bill clarifies.

175 REP. BROWN: It isn't appropriate for people with concealed guns and permits to be going into a school building.

VOTE: 7-0 MOTION PASSES AYE: Brian, Brown, Courtney, Edmunson, Tarno, Tiernan, Parks NO: None EXCUSED: Baker, Mason

Rep. Brian to carry to the floor

PUBLIC HEARING ON SB 229

(SB 229 requires court to appoint certified court interpreters if available, willing and able to serve)

Witnesses: Bill Linden, State Court Administrator Charles Williamson, Oregon Trial Lawyers Association Honorable Edwin Peterson, Oregon Supreme Court Judge

221 BILL LINDEN, STATE COURT ADMINISTRATOR: Testifies and submits written testimony in support of SB 229. (EXHIBIT D)

244 CHARLES WILLIAMSON, OREGON TRIAL LAWYERS ASSOCIATION: Testifies and submits written testimony in support of SB 229. (EXHIBIT E)

271 HONORABLE EDWIN PETERSON, OREGON SUPREME COURT JUDGE: Testifies in support of SB 229.

282 LINDEN: Legislative Fiscal agrees there is no need for this bill to go to Appropriations.

286 CHAIR PARKS: This would go straight to the floor? Discusses interpreter cost.

294 LINDEN: The interpreter cost would be for someone who needed access to the justice system and couldn't afford it.

296 CHAIR PARKS: Discusses an example of how to recover interpreter cost.

303 WILLIAMSON: Recovering costs would depend on the circumstances. The bill would work better without the amendment.

311 CHAIR PARKS: Would they judge the circumstances before or after the trial concerning the recovery of interpreter costs.

315 WILLIAMSON: After the trial.

PUBLIC HEARING ON SB 243

(SB 243 increases filing fee from \$10 to \$50 in Oregon Tax Court)

Witness: Bill Linden, State Court Administrator

323 BILL LINDEN, STATE COURT ADMINISTRATOR: Testifies and submits written testimony in support of SB 243. (EXHIBIT F)

366 CHAIR PARKS: Asks for explanation of details concerning small claims jurisdiction.

368 LINDEN: Explains the changes concerning small claims court in the bill.

387 REP. COURTNEY: Asks when the fee's were adjusted last.

388 LINDEN: 1962. The last time the legislature changed the fee's in the Oregon court system was 1985.

401 REP. TIERNAN: Why were there so many votes against this on the Senate side?

404 LINDEN: Explains that it was the fee increase.

WORK SESSION ON SB 229

448 MOTION: REP. COURTNEY: Moves to ADOPT SB 229 AMENDMENTS,
EXHIBIT E.

450 REP. TIERNAN: Objects to the motion.

TAPE 97, SIDE A

018 VOTE: 5-0 MOTION PASSES AYE: Brown, Courtney, Edmunson,
Tarno, Parks NO: Tiernan EXCUSED: Baker, Brian, Mason

022 MOTION: REP. COURTNEY: Moves SB 229 AS AMENDED TO THE FLOOR with
a DO PASS recommendation.

VOTE: 6-0 MOTION PASSES AYE: Brown, Courtney, Edmunson, Tarno,
Tiernan, Parks NO: None EXCUSED: Baker, Brian, Mason

Rep. Courtney to carry to the floor WORK SESSION ON SB 243

041 MOTION: REP. COURTNEY: Moves SB 243 TO THE FLOOR with a DO
PASS recommendation.

VOTE: 7-0 MOTION PASSES AYE: Brian, Brown, Courtney, Edmunson,
Tarno, Tiernan, Parks NO: None EXCUSED: Baker, Mason

Rep. Brian to carry to the floor

054 CHAIR PARKS: Adjourns the meeting at 2:30 p.m.

Submitted by:

Reviewed by:

Sarah May
Committee Coordinator

Anne May Committee Clerk

EXHIBIT LOG:

A - Proposed Amendments to SB 334 - Committee Counsel - 1 page B -
Proposed Amendments to SB 334 - Committee Counsel - 2 pages C - Hand
Engrossed SB 334-B - Committee Counsel - 4 pages D - Testimony on SB
229 - William Linden - 1 page E - Testimony on SB 229 - Oregon Trial
Lawyers Association - 1 page F - Testimony on SB 243 - William Linden -
2 pages