

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.

HOUSE COMMITTEE ON JUDICIARY CRIME AND CORRECTIONS

February 27, 1991Hearing Room 357 1:00 p.m.Tapes 37 - 39

MEMBERS PRESENT:Rep. Randy Miller, Chair Rep. Ray Baum Rep. Judy Bauman Rep. Tom Brian Rep. Rod Johnson Rep. Tom Mason Rep. Del Parks Rep. Ron Sunseri VISITING MEMBER: Rep. Kevin Mannix

STAFF PRESENT: Greg Chaimov, Committee Counsel Kathy Neely, Committee Assistant MEASURES CONSIDERED: HB 2580 PH (Controlled Substances) HB 2582 PH (Enhanced Penalties) HB 2581 PH (Controlled Substance) HB 2583 PH (Enhanced Penalties)

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TAPE 37, SIDE A

002 REPRESENTATIVE BAUM, CHAIR: Calls the meeting to order at 1:00 p.m.

PUBLIC HEARING ON HB 2580 Witnesses:Senator Paul Philips, Rep. Mike Burton, Dave Morthland, Rich Goheen, Rosanna Creighton, Verah Tarno, Marvin Evans, Rep. Barnes, Fred Avera, Peggy Holsledt

004 GREG CHAIMOV: Makes manufacturing a controlled substance within 1,000 feet of a school a Class A felony. Discusses current law. Makes bill similar to federal law on same topic. Comments on HB 2502.

041 ROSANNA CREIGHTON, EXECUTIVE DIRECTOR FOR CITIZENS FOR A DRUG FREE OREGON: Like to have Mr. Morthland and Mr. Goheen to make opening remarks.

045 DAVE MORTHLAND, CITIZENS FOR A DRUG FREE OREGON: Offers testimony on HB 258 0 (EXHIBIT A). Discusses agenda of CFDFO. Believes Oregon is still considered easy on drugs. Administration and enforcement of drug laws have not been effective. Laws and procedures that encourage intervention and put significant civil and criminal consequences on alcohol and drug abuse must be at foundation of efforts.

074 REPRESENTATIVE MIKE BURTON, DISTRICT 17: Offers testimony. Co-chaired CFDFO. Emphasis of bills is to find greater ability for the state to address the front end of the problem rather than back end, the criminal aspects. Part of package deals with education and treatment programs. \*HB 2580 prohibit manufacture of controlled substances near a school. Punishment is a Class A felony. Strengths safety zone bill. \*HB 2581 prohibits adults from using minors to help manufacture or distribute controlled substance. Discusses children used in delivery. Make it a Class A felony. \*HB 2582 enhances penalty for using minors in commission of felony of controlled substance. Directed sentence. \*HB

2583 enhances penalty for manufacture, creation or delivery of control substances or a counterfeit substitute or possession with intent. Mandatory sentence, parallels federal system.

132 CHAIR MILLER: In HB 2580, the manufacturing near a school, with respect to manufacturing, possession and delivery in area, to go beyond the elementary and secondary and include the colleges and universities.

141 REP. BURTON: No objection. Concerned about younger people. HB 2582, the one for enhancing penalties for using minor in commission, differentiate between aggregated and unaggregated situation.

169 SENATOR PAUL PHILIPS, WASHINGTON COUNTY, DISTRICT 4: These are great bills and would like to see them moved out of committee as soon as possible.

175 CHAIR MILLER: Any objections to inclusion of colleges and universities in HB 2580.

SEN. PHILIPS: No.

185 DAVE MORTHLAND: Supports amendment but focus was on younger people.

192 RICH GOHEEN, CFDFO: Concurr. Comments on experience. Have observed pain and suffering of deterioration of family unit with member being involved in drugs. Urges positive consideration to anti-drug bills.

237 VERAH TARNO, OREGON STATE SHERIFFS ASSOCIATION: Supports all bills in front of committee today. An issue going to be conforming is economics as far as indigent defense fund. With the importance these bills carry not much priority should be given to that defense fund. There is a great need for the passage of these bills.

266 MARVIN EVANS, CONFEDERATION OF OREGON SCHOOL ADMINISTRATORS: Offers testimony in support of all bills before committee.

282 FRED AVERA, POLK COUNTY DA, OREGON DISTRICT ATTORNEYS ASSOCIATION: Support all four bills. Discusses personal experience with drug use. Would like to have a drug free generation. Inclusion of colleges and universities is a good idea. Comments on bill to include day care centers.

303 REP. MANNIX: That bill has been passed out of committee and on way to House floor.

304 FRED AVERA: These are terrific bills and urges support.

CHAIR MILLER: Comments on witness' experience with respect to problem involved in minors participation in selling of drugs or being used as part of distribution scheme. What is seen out there?

FRED AVERA: Comments on Polk county. Gives examples.

333 ROSANNA CREIGHTON, EXECUTIVE DIRECTOR OF CFDFO: (EXHIBIT B) Submits written testimony. Shares what is going on in Oregon and other states regarding drug free school zones.

345 PEGGY HOLSTED, DEPARTMENT OF EDUCATION: Discusses job. Availability is major risk factor for the first time user. Drug free school zones have been shown as major strategy with greatest impact on availability

risk factor. Comments on National Organization for Drug Free School Zones. Need strong legislation to support the model zones.

375 REPRESENTATIVE JERRY BARNES, DISTRICT 52: Support bills before committee. Need to send stronger message. If there were no adults doing drugs, would not have children doing drugs.

409 CHAIR MILLER: Asks for explanation on bill.

412 REP. BARNES: Comments on bill submitted, HB 2610 will increase penalty for use of minor in drug related crime.

439 CHAIR MILLER: Looked at HB 2582? Is it similar to HB 2610?

REP. BARNES: Yes, except HB 2610 puts mandatory sentence.

TAPE 38, SIDE B

024 CHAIR MILLER: Comments on HB 2582 and HB 2610.

REP. BARNES: Believes intent is there. Must and should send serious message.

033 CHAIR MILLER: Closes hearing on HB 2580.

(Tape 38, Side B) WORK SESSION ON HB 2580

040 CHAIR MILLER: Ask for discussion.

REP. PARKS: Conceptual amendment to use the same definition as USCA 21 § 845 , for penalty. Add community colleges or private/public colleges, junior colleges, and university.

053 CHAIR MILLER: In this state it is community college.

REP. PARKS: Wonders if day care should be in this bill also. Thought other bill was only for sale.

063 REP. MANNIX: It would not hurt to put it here also. HB 2580 will be broader than HB 2502. Day care bill did not include manufacture, it did expand group to persons.

069 CHAIR MILLER: Asks chief sponsor for any objection?

REP. BURTON: Not at all.

CHAIR MILLER: Wasn't there language on it being certified?

REP. MANNIX: Yes. Using statutory definition.

076 REP. MASON: Would like opinions of sponsors. It is a great bill. Vocational schools, could be very broad.

084 ROSANNA CREIGHTON: How about wording about secondary school attended primarily by minors?

REP. MASON: Helps. Comments on vocational schools.

ROSANNA CRIEGHTON: Issue came up in drafting bill. This may elevate problem.

CHAIR MILLER: Except when including colleges and universities.

090 REP. MANNIX: Suggest using "comprising of public or private elementary, vocational, or secondary school attended primarily by minors or day care center" add after that "or real property comprising a college or university", adding community college language at the end.

098 CHAIR MILLER: Not anxious to protect this activity wherever it is going on.

REP. MASON: Not going to oppose that but wanted to point out vocational schools. Comments on irony.

109 REP. JOHNSON: Comments on bill passed out yesterday on making delivery or manufacture of drugs a class A felony no matter where it takes place?

114 GREG CHAIMOV: Yesterday the committee passed to full committee HB 2390 which includes delivery or manufacture within 1,000 feet of school or day care as conduct that gets a drug crime in category 8 under sentencing guidelines, not as one felony or another.

121 CHAIR MILLER: Further discussion on the conceptual amendment incorporating friendly amendment inserting certified day care centers.

125 REP. BAUMAN: Asks for restatement.

CHAIR MILLER: In packet there is language from the 21 § 845 (EXHIBIT C) under sub a, penalty provision. Rep. Parks suggests conceptually incorporating the language therein so that real property is included. Rep. Mason suggests including community colleges and Rep. Mannix suggests inclusion of certified day care centers.

REP. PARKS: That states motion.

142 REP. BAUMAN: States that any distance from school should be don. Creating islands of drug free zones around schools that will get larger and larger. Next session will name more places as a drug free zone. Point is activity is not desired.

171 REP. MANNIX: This is a prioritization scheme. Comments on limited resources. Discusses island analysis.

188 REP. BAUMAN: Comments on witness from 2/26/91 about people engaged in drug business doing it for financial return. They will move activity. Maybe this is being too generous.

200 CHAIR MILLER: If thought it was possible that enough people in Capital would support an amendment that would cause manufacturing, possession and delivery of controlled substances of any nature anywhere to be class A felonies would support. Not there yet.

221 REP. SUNSERI: Calls for question.

MOTION:CHAIR MILLER: Rep. Sunseri calls for the question. Is there objection to the proposed conceptual amendment. Hearing none, so ordered. After "manufacture" in line 6 and before "manufacture" in line 9, moves addition of "possession" preceded by a comma. Asks for discussion.

240 REP. MANNIX: Supports that.

CHAIR MILLER: The Senate may make some changes to this but wants to include this.

255 REP. MASON: Wants to look at definition of controlled substances.

259 REP. MANNIX: There is no weight limitation being applied to possession of marijuana.

CHAIR MILLER: Correct, none intended.

REP. BAUMAN: How about addressing expense to the indigent expense fund?

266 CHAIR MILLER: Those numbers are raised. This is about choices and the policy Oregon has had. If it requires additional expense, prepared to scour other budgets to find required revenue.

276 REP. MANNIX: Still have provision allowing for possessor to have a first time diversion program for rehabilitation and education.

286 REP. BAUMAN: There is a real deterrent effect in increasing the risk to do drug business in Oregon which carries own deterrent. It creates another tool. Would not support Chair's amendment to possession but believes manufacturing and delivery should be a Class A felony where ever it occurs. Comments on boundaries creating less risky areas to manufacture drugs. Lets deter everyplace in Oregon.

332 REP. JOHNSON: Not sure about direction of the amendment. If penalty is equal everywhere, there would be no distinction between schools and others which needs to be made. It is a worthwhile distinction.

355 REP. PARKS: Agrees with Chair and Rep. Johnson. If everything is a priority then nothing really is. Does not understand amendment, asks for clarification of it.

CHAIR MILLER: It is simply to add possession of a controlled substance within 1,000 feet of a school.

REP. PARKS: Just adding in possession.

393 REP. MANNIX: Shouldn't we mandate that local government put ups signs within the 1,000 feet area "Caution, Now Entering A Drug Free Zone".

401 ROSANNA CRIEGHTON: They do have programs, where the community raises money to put of the signs. New Jersey has done that throughout whole state.

REP. MANNIX: Leave up to voluntary effort. Don't want to have a fiscal impact.

415 REP. JOHNSON: The amendment is now broadening it to students, especially older ones in college, cannot possess any drugs.

020 REP. PARKS: Asks Counsel to answer that fact situation.

CHAIR MILLER: Assumes if possessed anywhere.

REP. PARKS: Calls for the question.

CHAIR MILLER: Rep. Parks calls the question on the amendment.

025 REP. JOHNSON: Would like to hear what they have to say about it.

028 REP. BAUMAN: Withdrawing objection to amendment.

CHAIR MILLER: There is potential objection.

VOTE: Amendment to add "possession". AYE: Baum, Bauman, Brian, Mason, Sunseri, Miller NO: Johnson, Parks EXCUSED:

CHAIR MILLER: The amendment is adopted.

038 DAVE MORTHLAND: Comments on the amendment. Concern is the example Rep. Johnson made. Does not disagree on the merits of the amendment.

044 CHAIR MILLER: Further comments on the bill.

047 REP. MANNIX: Matter of political reality, HB 2502 is on way to floor and should make it to the Senate. Some of the weight in this bill can be taken on this bill and put in there.

DAVE MORTHLAND: Does not want to get involved of political process.

054 MOTION:REP. SUNSERI: Moves HB 2580 as amended to the full committee with a do pass recommendation.

055 CHAIR MILLER: Rep. Sunseri moves HB 2580 as amended to the full committee with a do pass recommendation.

VOTE: HB 2580 as amended to the full committee. AYE: Baum, Bauman, Brian, Johnson, Mason, Parks, Sunseri, Miller NO: 0 EXCUSED:

CHAIR MILLER: HB 2580 as amended is passed to the full committee.

(Tape 37, Side B) PUBLIC HEARING ON HB 2581 Witnesses:Rosanna Creighton, Sgt. Mel Hedgepath, Fred Milton, Fred Avera

064 GREG CHAIMOV: This bill makes use of minors in drug crime a class A felony. Does not prescribe any particular penalty, just kicks it into sentencing guidelines.

074 ROSANNA CREIGHTON, EXECUTIVE DIRECTOR, CFDFO: Comments made by Dave Morthland and Rich Gohenn apply to all bills. Comments on the sponsors. It was deigned to address the issue that young people are being used by others in drug operations. This gives them big money. Deal with issue by coming at the adults who employ them by creating a strong deterrent factor to stop the employment.

095 FRED MILTON, COLUMBIA VILLA: Offers testimony in support of HB 2581. It is long overdue. Drug trade is a business. Discusses child abuse laws with that respect. Addresses situation in Portland. The introduction of crack cocaine created an immediate need crisis population. Explains the crack cocaine situation. In January, 1987, according to the Gang Intelligence Unit of the Portland Police, there were 69 known members of the LA gangs in the area. They came to establish a drug market. Discusses reasons for increase in gangs. Youth were attracted because of group identify, money, and notoriety. August

1988 brought the first fatal drive-by shooting. This made officials address the issues of youth gangs and poverty. Explains Columbia Villa in North Portland. Drug trade and gangs came into the Villa and caused a full time manager to be hired. Local officials came together to come up with a program to take care of these problems. Discusses community services program. This bill will provide to some degree a cover for children while the agencies assigned to the community are working with them and the families.

205 CHAIR MILLER: On line 4 of the bill, "unlawful for any person 18 years of age or over", what about removing "18 years of age or over" and saying any person who uses a minor?

FRED MILTON: Including another minor? Agrees 100%. Comments on what is happening with young people and gangs.

223 REP. MANNIX: If there is a minor compelling another minor, there are options: 1) under juvenile code charging with crime; and 2) remanded to adult court.

FRED MILTON: Would believe so.

SGT. MEL HEDGEPATH: Discusses remanding.

234 REP. MANNIX: Could not remand as this states unless making amendment.

SGT. HEDGEPATH: Would give it added flexibility. Introduces himself. Manager of Columbia Villa Safety Action Team. Discusses experience with narcotics. Comments on preparation for this hearing. \*Gangs came up from California for financial reasons because this was seen as a good market to sell drugs. Focus would be younger kids to sell on street. \*Discusses meth. labs and how this bill will be an added tool to deal with children living in drug houses where it is being produced. Explains activities children might be involved with in those situations. \*Another situation is grow operations. If a small operation, children are involved. \*Discusses Regional Organized Crime Network (ROCN). Comments on situation in Portland, especially Oldtown. Suppliers are using teenagers to sell drugs because juvenile justice system is not designed to deal with these issues for long term purposes. Use children to get around heavy penalties. \*Bill has potential of being a tremendous tool for law enforcement officers. The only problem may be the juvenile is unwilling to come forward and testify against the adult.

378 FRED AVERA, POLK COUNTY DA, OREGON DISTRICT ATTORNEYS ASSOCIATION: Intended earlier testimony to apply to this. Believes the amendment would have the effect stated and intended.

(Tape 37, Side B) WORK SESSION ON HB 2581

392 REP. BRIAN: Asks to repeat language of amendment Chair proposed.

CHAIR MILLER: Inquired about removing the language on line 4 beginning with "18 years of age or over". Just deleting that. Discusses effect.

404 REP. BRIAN: Did Rep. Mannix add to it or was it in concurrence.

MOTION:CHAIR MILLER: Moves deletion of "18 years of age or over" on line 4 of the bill. Any discussion, any objection. Hearing none, it is so ordered.

MOTION:REP. PARKS: Moves HB 2581 as amended to the full committee with a do pass recommendation.

422 CHAIR MILLER: Rep. Parks moves HB 2581 as amended to the full committee with a do pass recommendation. Further discussion. Calls for vote

VOTE: HB 2581 as amended to full committee. AYE: Baum, Bauman, Brian, Johnson, Parks, Sunseri, Miller NO: EXCUSED: Mason

CHAIR MILLER: HB 2581 as amended is passed to full committee. Rep. Johnson will carry.

TAPE 38, SIDE B PUBLIC HEARING ON HB 2582 Witnesses: Rosanna Creighton, Fred Avera, Ross Shepard

025 GREG CHAIMOV: Discusses the bill. Use of minor in commission of a controlled substance offense an aggravating factor. Takes it out of sentencing guidelines. Sets minimum sentence of 10 years without parole. Mirror image of HB 2610.

037 ROSANNA CREIGHTON, EXECUTIVE DIRECTOR, CFDFO: Offers testimony on HB 258 2 which is similar to HB 2581 except penalty phase is different. Comments on 2610, identical. Explains what the penalty is and addresses concerns over where penalty will fall.

051 CHAIR MILLER: On lines 4, 9 and 16 of the bill, thinking about amending to remove "controlled substances". In effect, minors used in the commission of felonies.

065 ROSANNA CREIGHTON: Good idea as long as HB 2581 remains.

REP. MANNIX: Observes that HB 2581 and 2582 provide different vehicles for a good reason. Discusses criminal history. Commenting on why both bills are needed.

086 CHAIR MILLER: Sentencing guidelines, in many instances, seem inadequate.

091 REP. PARKS: The bill's relating clause states relating to controlled substances.

CHAIR MILLER: Rep. Brian brought to attention. Discusses relating clause. May have a difficulty in broadening.

REP. BRIAN: Deletion of the word's controlled substances from the bill might trigger the problem.

105 REP. BAUM: What about adding "any other felony".

108 CHAIR MILLER: Cannot do the amendment. Will look for another bill to do that on.

116 ROSS SHEPARD, OCDLA: HB 2581 contains a new definition of the word "use". Believes it would encompass more situations than intended.

122 REP. MANNIX: Any other definition that would more appropriately define or narrow that?



ROSS SHEPARD: The use should be towards delivery or distributions of drugs. Believes that is intent.

REP. MANNIX: Instead of joint possession.

ROSS SHEPARD: Yes.

(Tape 38, Side B) WORK SESSION ON HB 2582

133 MOTION: REP. JOHNSON: Moves HB 2582 be forwarded to full committee with do pass recommendation.

CHAIR MILLER: Rep. Johnson moves HB 2582 to full committee with do pass recommendation.

135 REP. BRIAN: Comments on the word "use". What about saying in the "act of delivery or distributions" or something that defines better. Discusses Ross Shepard's testimony.

143 REP. JOHNSON: Asks about phrase "aides and abets" as refining what bill is trying to get to.

147 REP. BRIAN: "Felony of controlled substances offense", how often would that be joint possession?

153 REP. MANNIX: Another way to address this is in minimum term itself. Comments on example of minor involved with an 18 years and what sentence will be.

170 CHAIR MILLER: With respect to commission of felony of controlled substances offense, not talking only about marijuana.

REP. BAUM: Would not qualify.

REP. MANNIX: What about possession of crack?

186 REP. BAUM: Can put delivery for consideration and manufacture and define it in the bill. Brings beyond the "sharing of an experience".

193 REP. MANNIX: Discusses what was happening in Virginia in 1974 regarding minimum term for drug crimes. Comments on examples with regard to minimum sentencing. Concerned about lack of flexibility with a minimum. Willing to cover whole field on the crime but troubled with minimum guidelines. Perhaps 5 year minimum would be more appropriate. Cannot amendment, not on subcommittee.

218 REP. BRIAN: Defines use of a minor, lines 23 and 24. Trying to get it so the bill works. Raises question on encourage or solicit has same weight as coercing or compelling.

231 CHAIR MILLER: Asks committee if lack of flexibility causes concern. Would committee like to cut term in half?

237 REP. JOHNSON: Would like the proponents to input on modifications making.

REP. PARKS: Calls for the question.

243 ROSANNA CREIGHTON: Agrees with Rep. Mannix's suggestion, 10 years is stiff under circumstances decried.

250 FRED AVERA: Mr. Shepard had a point. Bill can be read broadly enough to include felony drug offenses. Encourage a minor to possess drugs could argue within this bill. That is affect of provision.

266 REP. SUNSERI: Should stay at 10 years. Have been nice for a long time and not gotten anywhere. Do not want to be lenient.

278 REP. JOHNSON: Motion is to move to full committee.

280 REP. BRIAN: Asks for ORS quotation on possession.

FRED AVERA: ORS 475.992(4) (a) and (b).

REP. BRIAN: Would try an amendment to narrow the bill a little. Offers as a friendly amendment.

CHAIR MILLER: Motion is to send bill as is to full committee.

292 REP. JOHNSON: Withdraws motion.

CHAIR MILLER: Keep it, trying to amend motion.

MOTION:REP. BRIAN: To amend on line 5 after "offense" to say "other than possession under ORS 475.992(4) (a) and (b)."

297 CHAIR MILLER: Rep. Brian's amendment is to add language to line 5.

REP. BRIAN: Comments on period conviction minimum as is, to avoid aggravation being kicked in with simple possession. Intent of motion is to concentrate on felony offenses and not simple possessions.

321 REP. JOHNSON: Clarifies the citation.

CHAIR MILLER: Calls for vote on Rep. Brian's amendment.

VOTE: Amendment to add language in line 5. AYE: Baum, Bauman, Brian, Johnson, Mason, Parks, Sunseri NO: Miller EXCUSED:

CHAIR MILLER: The amendment is adopted.

MOTION:REP. JOHNSON: Moves HB 2582 as amended to the full committee with do pass recommendation.

CHAIR MILLER: Rep. Johnson moves HB 2582 as amended to full committee.

VOTE: HB 2582 as amended to full committee. AYE: Baum, Bauman, Brian, Johnson, Mason, Parks, Sunseri, Miller NO: 0 EXCUSED:

CHAIR MILLER: HB 2582 as amended is passed to the full committee.

342 REP. BAUMAN: Comments on sentencing guideline grid.

(Tape 38, Side B) PUBLIC HEARING ON HB 2583 Witnesses: Rosanna Creighton, Barry Sheldahl, Fred Avera

356 GREG CHAIMOV: Gives brief description on the bill. Creates minimum sentences for delivery and manufacture of controlled substances based on volume. Comments on bill packet.

374 ROSANNA CREIGHTON, EXECUTIVE DIRECTOR, CFDFO: Comments on sponsor of bill.

370 BARRY SHELDAHL, US DISTRICT ATTORNEY FOR DISTRICT OF OREGON, CRIME DEPARTMENT: Discusses the federal system. Encourage consideration for following reasons: \*Creates degree of uniformity. \*Remedy what has been decriminalization in Oregon for drug offenses. \*Recognizes in defense, quantity and type of drugs involved is important. Tags penalty with those factors and create minimum mandatory sentences. Discusses drug/gang situation in Portland. \*Federal system is intended to be limited. Don't have resources to address all state drug crimes. Give outlying counties a tool to equate what is done in federal system.

TAPE 39, SIDE A

033 FRED AVERA, POLK COUNTY DA, OREGON DISTRICT ATTORNEYS ASSOCIATION: Briefly describes how handling cases now. Comments on difference between those that are initially investigated by a federal agency and those initially investigated by local law enforcement. Polk is part of a 6 county reagin. Discusses step taken in that area.

058 CHAIR MILLER: Mr. Sheldahl, how much room left in federal system to house these offenders?

BARRY SHELDAHL: There is plenty of room in the federal prison system. Forecasts a growth of 12% a year to deal with these types of statutes. Seen gradual decrease in crime in Oregon. This bill may have impact in decreasing crime. Comments on bank robberies.

071 REP. MANNIX: Discusses formatting used. It a sentencing format used in other sections?

FRED AVERA: Not real common in state statutes. Imported from federal statutes.

084 4CHAIR MILLER: Closes public hearing on HB 2583.

(Tape 39, Side A) WORK SESSION ON HB 2583

091 REP. BAUM: How does this play to scheme and network?

093 GREG CHAIMOV: This bill overrides the scheme and network work done by committee. Provides for longer sentences.

REP. BAUM: Are the drug amounts and everything compare favorably?

GREG CHAIMOV: There really is no comparison between drug amounts in HB 258 3 and HB 239 0. HB 2583 are substantially larger.

107 REP. MASON: Discusses amounts of drugs.

REP. BAUM: Creating another tier with this? Not repealing what was done the other day?

REP. MASON: A super tier.

112 MOTION:REP. BRIAN: Moves HB 2583 to the full committee with do pass recommendation.

CHAIR MILLER: Rep. Brian move HB 2583 to full committee with a do pass

recommendation. Any discussion?

VOTE: HB 2583 to full committee with do pass. AYE: Baum, Bauman, Brian, Johnson, Mason, Parks, Sunseri, Miller NO: 0 EXCUSED:

CHAIR MILLER: HB 2583 is passed to full committee. Rep. Mason will carry. Adjourns hearing at 3:02 p.m.

Submitted by:      Reviewed by:

Kathy Neely              David Harrell Assistant Office Manager

EXHIBIT LOG: A -              Annual report of CFDFO - 10 pages  
B              -              Testimony on HB s 2580, 2581, 2582, and 2583 - Rosanna  
Creighton - 2 pages C              -              USCA 21 § 845 - Greg Chaimov - 1 page