

## SENATE COMMITTEE ON JUDICIARY

June 23, 2005  
1:00 P.M.

Hearing Room 343  
Tapes 174 - 175

**MEMBERS PRESENT:** Sen. Ginny Burdick, Chair  
Sen. Charles Starr, Vice-Chair  
Sen. Roger Beyer  
Sen. Floyd Prozanski  
Sen. Charlie Ringo  
Sen. Vicki Walker  
Sen. Doug Whitsett

**MEMBERS VISITING:** Rep. Wayne Krieger  
Rep. Andy Olson

**STAFF PRESENT:** Heidi Moawad, Counsel  
Dale Penn, Committee Assistant

**MEASURES/ISSUES HEARD:**  
SB 907 – Work Session

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These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

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TAPE/#	Speaker	Comments
<b>TAPE 174, A</b>		
002	Chair Burdick	Calls the meeting to order at 1:12 p.m. and welcomes Rep. Wayne Krieger, Chair of the House Judiciary Committee.
<b><u>SB 907 – WORK SESSION</u></b>		
016	Heidi Moawad	Counsel. Describes the -5 amendment for SB 907 ( <b>EXHIBIT A</b> ). Discusses some of the concerns from the Oregon Criminal Defense Lawyers Association.
037	Moawad	Addresses the concern over the legal definition of “drug affected.”
071	Chair Burdick	Asks about the deletion of the level 9 discussed earlier.
074	Moawad	Talks about this deletion in the -5 amendment.
097	Rep. Wayne Krieger	House District 01. Comments on the process of drafting this bill.
108	Rep. Burdick	Agrees with the comments made by Rep. Krieger.
113	Sen. Beyer	Highlights the bi-partisan effort in arriving at a process to battle meth.
117	Chair Burdick	Commends Heidi Moawad on her work drafting SB 907 and HB 2485.
134	Rep. Krieger	Appreciates the work done by Heidi Moawad, counsel for the House and Senate Judiciary committee on the meth bills.
150	Sen. Walker	Questions the concerns over the \$30,000 of meth that was marketable or ingestible.
157	Moawad	Discusses the removal of that new classification of manufacturing meth.
176	Sen. Starr	Expresses his appreciation in taking on the meth epidemic.

		Declares that this program must be adequately funded by the state.
188	Sen. Starr	<b>MOTION: Moves to ADOPT SB 907-5 amendments dated 6/22/05.</b>
		<b>VOTE: 6-0-1</b>
		<b>EXCUSED: 1 - Ringo</b>
192	Chair Burdick	<b>Hearing no objection, declares the motion CARRIED.</b>
193	Sen. Starr	<b>MOTION: Moves SB 907 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on SENATE BUDGET.</b>
199	Sen. Beyer	Discusses a letter drafted by the members of the work group where they prioritized the changes that need to be done to combat meth. Insists that the Legislature should fully fund these programs and initiatives.
217	Chair Burdick	States that she will work with Sen. Gordly, chair of the Senate Budget committee on this issue.
223	Sen. Walker	Talks about her history with the meth epidemic over her years of service. Declares that the federal government needs to address this problem in a better fashion.
251	Rep. Krieger	Advocates for the importance of addressing this issue in a bi-partisan manner.
269	Sen. Whitsett	Inquires about the interdiction methods in the meth epidemic.
		<b>VOTE: 7-0-0</b>
283	Chair Burdick	<b>Hearing no objection, declares the motion CARRIED.</b>
284	Chair Burdick	Closes the work session on SB 907. Asks Rep. Olson about his bill.
299	Chair Burdick	Opens a work session on SB 907.
<b><u>SB 907 – WORK SESSION</u></b>		
300	Sen. Burdick	<b>MOTION: Moves to SUSPEND the rules for the purpose of allowing Sen. Ringo to vote on the motion to send SB 907 AS AMENDED to the SENATE BUDGET committee with a DO PASS recommendation.</b>
		<b>VOTE: 7-0-0</b>
305	Chair Burdick	<b>Hearing no objection, declares the motion CARRIED.</b>
306	Sen. Ringo	Vote's aye.
308	Chair Burdick	Closes the work session on SB 907. Re-asks Rep. Olson about the civil forfeiture bill he sponsored.
310	Rep. Olson	Discusses the civil forfeiture issue.
340	Rep. Olson	Comments on the implementation of Measure 3 from several years ago. Talks about where the funds from civil forfeiture would end up.
374	Rep. Olson	Addresses the question raised by Sen. Whitsett dealing with interdiction methods for battling the meth epidemic.
424	Sen. Prozanski	Clarifies that Measure 3 did not remove civil forfeiture but altered the statutory definition. Goes on to talk about what occurred when Measure 3 passed.
<b>TAPE 175, A</b>		
020	Sen. Prozanski	Continues his discussion on Measure 3 and the civil forfeitures issue.
060	Chair Burdick	Discusses the drug court funding from the civil forfeitures.
067	Rep. Olson	Stresses that this law (civil forfeiture) was created back in 1989

		and faced several challenges by the Supreme Court. Talks about the criteria that would constitute a civil forfeiture.
095	Sen. Ringo	Comments on civil forfeitures, especially non-insured cars: if a conviction is even necessary in these cases.
112	Chair Burdick	Declares that the bill under discussion has been sent to Senate Rules.
120	Sen. Prozanski	States that he is working on amendments for this bill.
126	Chair Burdick	Adjourns the meeting at 1:49 p.m.

## **EXHIBIT SUMMARY**

### **A. SB 907, -5 amendment, staff, 65 pp**