

## HOUSE COMMITTEE ON JUDICIARY - CRIMINAL LAW

April 8, 1999 Hearing Room 357

8:30 a.m. Tapes 125

**MEMBERS PRESENT:** Rep. Mannix, Chair

Rep. Prozanski, Vice-Chair

Rep. Bowman

Rep. Gianella

Rep. Hansen

Rep. Simmons

Rep. Sunseri

**MEMBER EXCUSED:**

**STAFF PRESENT:** John Horton, Counsel

Patsy Wood, Administrative Support

**MEASURE/ISSUES HEARD:**

HB 3050 Public Hearing and Possible Work Session

HB 3047 Public Hearing and Possible Work Session

HB 2884 Public Hearing and Possible Work Session

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.

TAPE/#	Speaker	Comments
TAPE 125, A		

004	Chair Mannix	Calls meeting to order at 8:37
<b><u>HB 3047 PUBLIC HEARING</u></b>		
	Counsel Horton	Hb 3047
	Larry Oglesby	Marion County Oregon Juvenile Dept. Director's Association EXHIBIT A
041	Karen Brazeau	Oregon Youth Authority Tes
047	Chair Mannix	Plan a work groupÖCloses public hearing on HB 3047.
<b><u>HB 2884 PUBLIC HEARING</u></b>		
	Counsel Horton	HB 2884
074	Rep Simmons	EXHIBIT B and C
121	Chair Mannix	
139	Rep. Prozanski	
142	Rep. Simmons	
142	Rep. Simmons	I believe that as we see a huge increase in on line commerce this will be a problem.
163	Bernie Lerch	Oregon Winegrowers Association
	Chair Mannix	
	Rep. Simmons	
	Chair Mannix	
	Rep. Bowman	Can you tell me what \$45, 000 will buy?

	Barbara ??	Our agency has been trying to deal with this problem
213	Rep. Bowman	What kind of service would \$45,000 buy
		It would buy ys inforamtion. WE could hire back a retiree
	Rep. Gianella	Is the problem with UPS?
	Rep. Simmons	For licensed dealers that is the truth. They are supposed to check at the door for ID. WE still have problems.
	Rep. Prozanski	Where are we trying to go with this? What are we trying to accomplish with this. This might cause problems for legitimate people who want to buy wine through the internet.
	Rep. Simmons	Part of the enforcement
	Rep. Prozanski	What I'm hearing is that the problems are out of the state. Discusses sting operations
	Chair Mannix	
	Rep. Simmons	Interstate commerce issues are an issue, they are unresolved. We can find out who is selling into Oregon. We can refocus on enforcing? discourage this type of activity
	Chair Mannix	The OLCC
	Barbara Hutchison	Our agency is
	Chair Mannix	You already have limited resources that are being stretched
	Rep. Hansen	Has OLCC received complaints from parents or others
	Hutchison	
	Rep. Hansen	How many complaints
	Hutchison	
	Rep. Prozanski	IF complaints are coming in, is anything being done about it?

	Chair Mannix	
	Rep. Simmons	We do not want to make the deliverer to be the police
	Rep. Prozanski	I don't understand
	Tape 126 , Side A	
035	Rep. Leslie Lewis	State Representative  Testifies in support of HB 2884. Discusses stopping the shipments to minors.
	Rep. King	State Representative  Testifies against the original version of the bill. I think the amendments are looking in the right direction.
	Rep. Hansen	I'm on the demogovernment and this hasn't been an issue. This isn't part of the Ways and Means
	Lewis	Public testimony has talked about the purposes of keeping
	Rep. Hansen	In the first ten hours of public hearings
	Lewis	You must understand how those hearings go.
	Rep. Prozanski	I still have a problem with this policy statement. I don't see how we're going to make an impact
	Lewis	I think we're hearing part of the problem. We have a field of complaints, but in addition to all of the other activities, their focus has been in that direction. We worry about shippers who are shipping unlawfully into the state.
	Rep. Prozanski	If it's already illegal, it sounds that the OLCC needs to crack down
	Lewis	Explains the Ways and Means
	Leo Pothetes	Chair of Mental Health and AD Committee  Testifies in support of HB 2884. Discusses problems with Senior citizens getting alcohol. Discusses costs of emergency room care and the fact that it is charged to the Medicare system. Gives examples of Senior Citizens having problems with deliveries of alcohol. Notification needs to be given.

	Michael Osborn	Propoetor of Evineyard Tesifies in support of the propoesed ammendments.
	Jim Rice	Oreogn Criminal Defense Lawyers Testifies against of the p
	Sandra Bishop	Wine Institiute  Explains the Wine Institute. Most wine in Oregon is produced in California. WE would request in the futeure if you are to put penalties like this because it becomes capital punishment for wineries.
	Chair Mannix	The Class C felony is no longer part of this bill.
	Bishop	What Oregon can do now is report the violations to the ATF. I do not believe the y have the same enforecement power over shippers.
	Rep. Prozanski	If OLCC gets a compllkaint and we call the local ATF they will solve the problem.
	Bishop	They have the enforcement power
	Rep. Gianella	From what I have heard, the federal
	Rep. Simmons	Moves the ñl ammensments to hb 2884
		Passes
		Hb 2884 passes
TAPE 125, Side B		
	Brian Delashmutt	OCPA  Tesitifes and submits written testimony and video in support of HB 3050.
076	Liz Cruthers	OCPA  Tesfies and submits written tesimony in behalf of HB 3050. Discusses certain changes that need to take place in the bill. Discusses other states where this bill

		has passed. Discusses the risk in which officers are being placed. The need to keep police officers safe is more important than informing the public.
	Meredith Smith	OCPA  Testifies and submits written testimony in support of HB 3050. Discusses certain endangering media interference. Gives specific examples.
221	Tom Mack	OCPA  Testifies and submits written testimony in support of HB 3050.
	Chair Mannix	Asks about the non signing of this agreement.
	Delashmutt	I would like to emphasize the importance of the amendments that need to be made.
	Rep. Prozanski	Asks for a definition of a tactical police operation.
	Cruthers	It is in Section 1
	Delashmutt	
	Rep. Prozanski	Asks about geographical area
	Cruthers	The scene where the activity was taking place
	Delashmutt	
	Chair Mannix	
	Bruce Prunk	Assistant Chief, City of Portland  Testifies in support of HB 3050.
Tape 126, SIDE B		
033	Bernie Giusto	Gresham P.D.
	Chair Mannix	

	Rep. Hansen	DO tactical command officers have the right to close air space
	Prunk	
	John Sears	News Director of KPTV Testifies in opposition to HB 3050.
	Rep. Bowman	ASKs a bout taping the event and showing it at a later date.
	Sears	
	Rep. Bowman	If this bill passes the public would not be able to determine if the media or the police were acting
186	Sears	We attempt to do the public's business.
190	Rep. Gianella	Since you agree to the voluntary agreement would you be okay with the bill?
	Rod Gramer	News Director of KGW Testifies in opposition of HB 3050.
	Chair Mannix	
	Gary Walker	News Director of KATU Testifies in opposition to HB 3050.
	Chair Mannix	
	Sears	
	Gramer	I would be glad to talk to the the police Association
	Rep. Prozanski	
	Walker	
	Sears	No there haven't. Discusses the news helicopter.

	Gramer	
	Rep. Prozanski	
	Sears	
	Rep. Hansen	Have you mentioned in your guidelines
	Walker	
	Chair Mannix	
TAPE 127, SIDE A		
	Delashmutt	
	Rep. Gianella	How do you feel about a pool camera?
	Cruthers	
	Gianella	
	Cruthers	The portland media can go all over the state
	Chair Mannix	
	Andrea Myer	ACLU Testifies against HB 3050.
	Chair Mannix	Closes public hearing on HB 3050. Adjourns meeting at 10:32.

Submitted By, Reviewed By,



Rachel Short, Sarah Watson,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A -**