

HOUSE COMMITTEE ON JUDICIARY - CRIMINAL LAW

May 24, 1999 Hearing Room 357

8:30 a.m. Tapes 205

MEMBERS PRESENT: Rep. Mannix, Chair

Rep. Prozanski, Vice-Chair

Rep. Bowman

Rep. Gianella

Rep. Hansen

Rep. Sunseri

MEMBER EXCUSED: Rep. Simmons

STAFF PRESENT: John Horton, Counsel

Patsy Wood, Administrative Support

MEASURE/ISSUES HEARD:

SB 443A 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 205, A		
004	Chair Mannix	Calls meeting to order at 8:35 a.m.

SB 443A WORK SESSION

010	Counsel Horton	SB 443A expands the offense of driving while under the influence of intoxicants to include inhalants. The ñ3 amendments (EXHIBIT A) remove the "vapor-releasing substance" language and include "inhalant" language.
020	Lt. Chuck Hayes	Oregon State Police With the inclusion of (24) on page 2 of the ñ3 amendments, all of the inhalants of abuse are covered.
027	Rep. Prozanski	Expresses his concern with using the word "toxic" on page 2, line 6 of the ñ3 amendments as being too limiting. Is that the same language that you have seen used by other states?
036	Lt. Hayes	The word "toxic" is consistent with other states. We are trying to include in statute the substances that have the ability to impair a person's driving ability, and the language "releasing toxic vapors or fumes" will cover that.
049	Rep. Prozanski	Other states are using "intoxicating" not "toxic".
053	Counsel Horton	It could be the intent of the committee that on page 2, line 6, that the word "toxic" would mean intoxicating as the word toxic is a derivative of the word intoxicating.
057	Chair Mannix	The ñ3 amendments (EXHIBIT A) page 1, line 4, state that a "substance that is capable of causing intoxication".
062	Rep. Prozanski	MOTION: Moves to ADOPT SB 443A-3 amendments dated 05/20/99.
		VOTE: 6-0-1 EXCUSED: 1 - Rep. Simmons
		Chair Mannix Hearing no objection, declares the motion CARRIED.
065	Rep. Prozanski	MOTION: Moves SB 443A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0-1

		EXCUSED: 1 - Rep. Simmons
	Chair Mannix	Hearing no objection, declares the motion CARRIED. REP. PROZANSKI will lead discussion on the floor.
074	Chair Mannix	Closes the work session on SB 443A.
075	Chair Mannix	Adjourns the meeting at 8:42 a.m.

Submitted By, Reviewed By,

Patsy Wood, Sarah Watson,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 443A, -3 amendments (LC 2075), dated 5/20/99, staff, 3 pgs.