

CONFERENCE COMMITTEE ON HJR 89B

July 13, 1999 Hearing Room 357

3:30 p.m. Tape 1

MEMBERS PRESENT: Rep. Mannix, Chair

Sen. Bryant

Rep. Gianella

Sen. Courtney

Rep. Hansen

Sen. Tarno

STAFF PRESENT: John Horton, Counsel

Patsy Wood, Administrative Support

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 1, A		
003	Chair Mannix	Calls the meeting to order at 3:42 p.m.
<u>HJR 89B WORK SESSION</u>		
005	Chair Mannix	Discusses the issues that need to be resolved regarding HJR 89B that would disqualify a person from serving on a jury if the person is not registered to vote in Oregon or if the person has been convicted of a felony or served a felony sentence within 15 years preceding the trial. Describes the ñB12, ñB13 and ñB14 amendments to HJR 89B (EXHIBITS A - C).
030	Counsel Horton	The ñB12 amendments would change the felony provision of HJR 89B to any

		crime. The ñB13 amendments retain the felony provision with 15 years and add a new provision for misdemeanors.
040	Chair Mannix	The ñB14 amendments reflect a different version of HJR 31 relating to search and seizure.
049	Sen. Bryant	Discusses the list of Class A misdemeanors that would be included if the ñB13 amendments were adopted. Suggests limiting the misdemeanors to those dealing with violence or dishonesty. Discusses the ñB14 amendments and the concern that the Senate had about giving up their rights under the Oregon Constitution and being limited to the federal constitution. Asks for more time to study these amendments.
094	Chair Mannix	Asks counsel to draft amendments limiting misdemeanors to those involving violence, dishonesty or driving under the influence (DUII).
113	Rep. Hansen	Expresses a reluctance to include DUII misdemeanors because of the large number of people who would be involved. Would a single DUII preclude you from serving on a jury?
122	Counsel Horton	Should these misdemeanor convictions have occurred within the last five years or the last fifteen years?
125	Chair Mannix	Directs counsel to use the parameters of five years. Do you still want DUII misdemeanors included?
128	Sen. Bryant	Not for only one conviction.
130	Chair Mannix	Letis limit the amendment to include misdemeanors involving violence within the last five years. Discusses how the ñB14 amendments are a refinement of the exclusionary rule for criminal cases.
153	Chair Mannix	Adjourns the meeting at 3:55 p.m.

Submitted By, Reviewed By,

Patsy Wood, Sarah Watson,

Administrative Support Office Administrator

EXHIBIT SUMMARY

A - HJR 89B, ñB12 amendments (LC 4238), dated 7/8/99, staff, 1 pg.

B - HJR 89B, ñB13 amendments (LC 4238), dated 7/8/99, staff, 1 pg.

C - HJR 89B, ñB14 amendments (LC 4238), dated 7/13/99, staff, 1 pg.