

SENATE COMMITTEE ON JUDICIARY

April 15, 1999 Hearing Room 343

3:00 p.m. Tapes 123 - 124

MEMBERS PRESENT: Sen. Courtney, Vice-Chair

Sen. Brown

Sen. Burdick

Sen. Qutub

Sen. Tarno

MEMBER EXCUSED: Sen. Bryant

Sen. Nelson

STAFF PRESENT: Anne Tweedt, Counsel

Judith Minnich, Administrative Support

MEASURE/ISSUES HEARD: SB 461 - Public Hearing

SB 1157 ñ Public Hearing

HB 2526A ñ Public Hearing and Work Session

HB 2558 ñ Public Hearing and Work Session

SB 846 ñ Work Session

SB 202 ñ 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 123, A		

003	Vice-Chair Courtney	Opens the hearing at 3:06 p.m. as a subcommittee for purposes of taking testimony.
<u>SB 461 PUBLIC HEARING</u>		
007	Counsel Tweedt	The interested parties indicate that the work group has not yet finalized their amendments. They will report to the Chair Bryant next week.
<u>SB 1157 PUBLIC HEARING</u>		
015	Counsel Tweedt	The constituent for whom this bill was introduced was unexpectedly out-of-state today and when he returns next week we will reschedule SB 1157.
<u>HB 2526A PUBLIC HEARING</u>		
026	Counsel Tweedt	HB 2526 specifies that bounty hunters cannot receive rewards of public money.
038	Vice-Chair Courtney	Notes that a quorum is not present.
<u>HB 2558 PUBLIC HEARING</u>		
059	Counsel Tweedt	HB 2558 deletes the cap that currently exists in statute for the amount that someone can wager at a Monte Carlo, casino type, event and allows the Department of Justice to establish that cap by administrative rule.
068	Rick Walker	Wild Billis Northwest Submits testimony and testifies in support of HB 2558 (EXHIBIT A). Indicates that Wild Billis Northwest is a company that specializes in interactive entertainment for corporate and charitable events. Describes a Monte Carlo event. Discusses the reasons HB 2558 was introduced.
129	Ross Laybourn	Assistant Attorney General, Department of Justice (DOJ) Submits written testimony and testifies in support of HB 2558 (EXHIBIT B).
154	Sen. Qutub	How do you run your business without profit?
157	Walker	We are a "for profit" enterprise. We charge a flat fee for our services. We provide services to both charitable and non-charitable organizations.
165	Sen. Qutub	Discusses the prevalence of gambling addiction.

170	Walker	Indicates the type of organizations that participate, and the structure of the events are not attractive to addicted gamblers.
186	Sen. Qutub	It isn't just low income people who are addicted to gambling. Discusses the reasons people gamble.
226	Vice-Chair Courtney	Closes the Public Hearing on HB 2558.
<u>SB 846 WORK SESSION</u>		
231	Counsel Tweedt	SB 846 classifies communications which take place in peer support counseling sessions for law enforcement personnel as confidential. Indicates the amendments expand the provisions to apply to fire fighters and also specify the type of communications to which the bill does not extend (EXHIBIT C).
262	Brian Delashmutt	Oregon Council of Police Organizations Testifies in support of SB 846, as amended. Indicates support for the amendments with the notation for the record that there is a difference between an admission of criminal activity and a police officer discussing and questioning events of a police action such as a shooting. During debriefing it is quite common and natural for the officers involved to second guess themselves.
300	Rep. Randy Leonard	State Representative, House District 21 Indicates that he is here as a resource, if needed.
303	Cindy Rose	Officer, Portland Police Bureau Testifies in support of SB 846 as amended. Discusses the debriefing process after a law enforcement incident.
321	Sen. Tarno	Discusses law enforcement personnel administrative support of SB 846 and asks if the sheriff's organization has taken a position on SB 846.
331	Rose	Indicates that peer counseling is a new activity for law enforcement and its newness may be why little reaction has been made by the administration.
334	Delashmutt	When I spoke to the Sheriff's Association they had not yet taken a position.
342	Sen. Tarno	If they haven't come forward by now, I guess it is tacit approval.
345	Sen. Qutub	Discusses criminal conduct and debriefing of law enforcement officers.
377	Sen. Tarno	The belief that someone has a weapon, due to furtive movements, is a good faith

		defense.
391	Sen. Qutub	Continues discussion of the difficulties law enforcement personnel have in doing their job.
413	Vice-Chair Courtney	MOTION: Moves to ADOPT SB 846-8 amendments dated 4/15/99.
		VOTE: 4-0 EXCUSED: 3 ñ Bryant, Nelson, Burdick
	Vice-Chair Courtney	Hearing no objection, declares the motion CARRIED.
418	Vice-Chair Courtney	MOTION: Moves SB 846 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0 EXCUSED: 2 - Bryant, Nelson
	Vice-Chair Courtney	Hearing no objection, declares the motion CARRIED. SEN. TARNO will lead discussion on the floor.
Tape 124, A		
<u>SB 202 WORK SESSION</u>		
002	Counsel Tweedt	SB 202 expands the categories of persons subject to investigator and operative registration requirements and other housekeeping requirements. The ñ1 amendments remove the expansion of the persons required to register and allow errors and omissions insurance in the amount of at least \$5000 to replace a surety bond (EXHIBIT D).
015	Vice-Chair Courtney	MOTION: Moves to ADOPT SB 202-1 amendments dated 4/15/99.

		VOTE: 4-0 EXCUSED: 3 ñ Bryant, Burdick, Nelson
	Vice-Chair Courtney	Hearing no objection, declares the motion CARRIED .
017	Vice-Chair Courtney	MOTION: Moves SB 202 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0 EXCUSED: 2 - Bryant, Nelson
	Vice-Chair Courtney	Hearing no objection, declares the motion CARRIED . SEN. BRYANT will lead discussion on the floor.
<u>HB 2526A WORK SESSION</u>		
028	Counsel Tweedt	Indicates the effect of HB 2526A is to remove the statutory cap of \$1000 on bounty hunter rewards and also specifies that any reward they receive cannot be public money.
045	Sen. Qutub	MOTION: Moves HB 2526A to the floor with a DO PASS recommendation.
		VOTE: 5-0 EXCUSED: 2 ñ Bryant, Nelson
	Vice-Chair Courtney	Hearing no objection, declares the motion CARRIED . SEN. BROWN will lead discussion on the floor.

055	Vice-Chair Courtney	Recessed hearing and called for a reconvening of the committee at 4:15 p.m.
058	Vice-Chair Courtney	Reconvenes the hearing at 4:16 p.m.
060	Sen. Burdick	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. BURDICK to BE RECORDED as voting AYE on the motions to send SB 846 as amended to the floor do pass, SB 202 as amended to the floor do pass, and HB 2526A to the floor do pass.
		VOTE: 4-0 EXCUSED: 3 - Bryant, Nelson, Qutub
Vice-Chair Courtney		Hearing no objection, declares the motion CARRIED.
<u>HB 2558 WORK SESSION</u>		
076	Sen. Brown	MOTION: Moves HB 2558 to the floor with a DO PASS recommendation.
		VOTE: 4-0 EXCUSED: 3 - Bryant, Nelson, Qutub
Vice-Chair Courtney		Hearing no objection, declares the motion CARRIED. SEN. BROWN will lead discussion on the floor.
089	Vice-Chair Courtney	Adjourns hearing at 4:25 p.m.

Judith Minnich, Anne Tweedt,
Administrative Support Counsel

EXHIBIT SUMMARY

A ñ HB 2558, written testimony from Rick Walker, 2 pp

B ñ HB 2558, written testimony from Ross Laybourn, 1 pp

C ñ SB 846, -8 amendments dated 4/15/99, Staff, 2 pp

D ñ SB 202, -1 amendments dated 4/15/99, Staff, 2 pp