

HOUSE COMMITTEE ON JUDICIARY

January 24, 1997 Hearing Room 357

3:15 P.M. Tape 2

MEMBERS PRESENT:

Rep. John Minnis, Chair

Rep. Floyd Prozanski, Vice-Chair

Rep. Roger Beyer

Rep. Jo Ann Bowman

Rep. Peter Courtney

Rep. George Eighmey

Rep. Lane Shetterly

Rep. Charles Starr

Rep. Ron Sunseri

Rep. Judy Uherbelau

Rep. Larry Wells

MEMBER EXCUSED:

STAFF PRESENT:

Scott Lumsden, Counsel

Lauri A. Smith, Administrative Support

MEASURE/ISSUES HEARD:

**Bill Introductions-LC 1646, LC 1647, LC 1648, LC 1649, LC 1650, LC 1863, LC 1931, LC 1932,
LC 1933, LC 1934, LC 1935,**

LC 1937, LC 1938, LC 1939, LC 1940, LC 1941, LC 1942,

LC 1943, LC 1944, LC 1945, LC 1946, LC 1947, LC 1949,

LC 1950, LC 1951, LC 1952

HB 2156 - Work Session

HB 2159 - 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 2, A		
003	Chair Minnis	Calls the meeting to order at 3:25 P.M.
007	Rep. Prozanski	Knows of proposed tour groups to different institutions within the Salem area.
WORK SESSION ON HB 2156		
029	Chair Minnis	Opens work session on HB 2156
035	Scott Lumsden	Presents a Staff Measure Summary on HB 2156
039	Rep. Courtney	MOTION: Moves HB 2156 to the floor with a DO PASS recommendation.
040	Chair Minnis	Rep. Courtney: Moves HB 2156 to the floor of the House Representatives with a Do Pass Recommendation.
041	Rep. Uherbelau	Why do we want to mix 65 year olds with 18 years old?
043	Rep. Courtney	Responds to Rep. Uherbelau by stating that it is to allow the Department of Corrections as much flexibility as possible to allow individuals to go through the boot camp and they (individuals) are subject to physicals.
061	Rep. Shetterly	Our testimony in the Civil Law Subcommittee focused on line 12 of HB 2156, however, I refer you to line 24 whereby we are deleting the word "young" and what the result reflects.
075	Chair Minnis	Open to a friendly amendment. Rep. Courtney would you care to amend your motion or take back.
078	Rep. Courtney	Withdraws my motion.
083	Rep. Eighmey	Responds to line 24 proposed change.
087	Rep Shetterly	It depends if we want to leave something in there to accommodate our amendment up on Line 12. Could substitute "all" for "young."

096	Rep. Eighmey	Responds to Rep. Shetterly by stating if we say "all" we are expanding the blanket. You may add "certain" offenders, but then again that may not work. Suggests removing all of Line 24.
102	Rep. Beyer	Recommends, also, to remove all of Line 24.
105	Rep. Sunseri	We need to prepare for a substantial argument for it on the floor. Would it be appropriate to possibly move it back to committee?
110	Chair Minnis	Personally "ok" with deleting Line 24 as it does not damage anything. Does anyone have a motion to simply delete Line 24?
115	Rep. Sunseri	MOTION: Moves that we delete Line 24.
117	Chair Minnis	Rep. Sunseri moves that we delete Line 24 on the printed bill, HB 2156.
120	Rep. Prozanski	Directs attention to <u>Section 2</u> of HB 2156, do we really need to retain the entire section?
122	Chair Minnis	If we remove all of <u>Section 2</u> of HB 2156, we move into deleting some of the justification for boot camps in the beginning.
125	Rep. Prozanski	Do we need <u>Section 2</u> , now that boot camps are up and going?
130	Chair Minnis	There is a motion before us to take it out, if we go to the extent that Vice Chair Prozanski recommends, then we would need to send it back to the Subcommittee and review that issue extensively.
133	Rep. Eighmey	Is the motion to "delete and renumber?"
134	Chair Minnis	Of course.
135		VOTE: 11-0
	Chair	Hearing no objection, declares the motion CARRIED.
137	Rep. Courtney	MOTION: Moves HB 2156 to the floor with a DO PASS AS AMENDED recommendation.
139	Chair Minnis	Rep. Courtney moves HB 2156 as Amended to the Floor of the House of Representative with a Do Pass Recommendation.
143	Rep. Courtney	I recommend scrutiny by Legislative Counsel and among other parties before it goes to the Floor. As the context of the bill may appear "ok" at this time but not at another time.
	Chair	We have other bills with same relating clause, if we need to

147	Minnis	amend later.
157	Rep. Beyer	After Rep. Courtney's comments, I would like to revisit Section 2 in particular Subsection 4, this is the current language and were not changing that . I suggest we take it back.
162	Rep. Courtney	Still in the trial stage, there is still controversy over this program given the costs. We only created it in 1993 session. Funding may still be in question.
171	Chair Minnis	I tend to agree with Rep. Courtney's comments and it meets the standards of Measure 17.
173	Rep. Bowman	I just want to make a suggestion regarding Section 2. But I have no objections at this time.
180		VOTE: 11-0
	Chair	Hearing no objection, declares the motion CARRIED. REP. SUNSERI will lead discussion on the floor.
182	Chair Minnis	Closes Work Session on HB 2156.
WORK SESSION ON HB 2159		
186	Chair Minnis	Opens work session on HB 2159
191	Lumsden	Presents a Staff Measure Summary on HB 2159
193	Chair Minnis	I recall that we heard in the Subcommittee that this was to give additional authority over the people in the transitional phase.
202	Rep. Prozanski	It is to give additional time for close supervision and to make certain that they were in fact mainstreaming themselves back into the community.
205	Rep. Uherbelau	Was there any objecting testimony when you considered this in the subcommittee?
207	Chair Minnis	There was quite a bit of discussion but there was no real objections because it appeared that the Department of Corrections was trying to assist individuals where the 30 day period was to short.
210	Rep. Shetterly	I don't recall any objections.
211	Rep. Prozanski	There were three people at the table and all three were in support.
214	Rep. Sunseri	MOTION: Moves HB 2159 to the floor with a DO PASS recommendation.
216	Chair Minnis	Rep. Sunseri moves HB 2159 to floor of the House with a Do Pass Recommendation.
222	Rep.	Seeks point of clarification regarding Staff Measure

	Eighmey	Summaries.
230	Lumsden	Final Staff Measure Summaries are prepared after committee takes action. This is the final Subcommittee Staff Measure Summary.
236	Chair Minnis	Motion before us is to move with a do pass recommendation.
247		VOTE: 11-0
	Chair	Hearing no objection, declares the motion CARRIED. REP. COURTNEY will lead discussion on the floor.
250	Chair Minnis	Closes Work Session on HB 2159
INTRODUCTION OF POSSIBLE COMMITTEE BILLS		
253	Chair Minnis	Explains his policy/procedures regarding introduction of Committee Bills.
261	Rep. Uherbelau	Where did the Legislative Counsel drafts come from?
265	Chair Minnis	Most come from District Attorney's Association and were presented to the Interim Judiciary Committee but were not carried over as pre-session filed bills so they have been asked to be introduced as committee bills. Identifies Oregon Collector's Association and the Oregon Criminal Defense Lawyer's Association as other requestors.
274	Rep. Prozanski	Comments regarding that on the last day of the interim, the Judiciary Committee allowed a filing of about 200 bills from various interest groups and this in the norm to allow various groups to have access to the process. Apparently these are ones not pre-session filed.
283	Chair Minnis	Restates his policy in introducing Committee Bills.
291	Shetterly	Agrees with Chair Minnis's Policy.
294	Chair Minnis	Reads Legislative Counsel Drafts with relating to clause and who or whom introduced.
332	Rep. Uherbelau	If we make the motion to introduce them. Then where do they go next?
338	Chair Minnis	Explains procedure.
341	Rep. Uherbelau	Will no sponsor appear on the bill? On the Legislative Drafts no sponsor appears.
343	Chair Minnis	The Committee Bills will be introduced by the Judiciary Committee on behalf of or at the request of these groups.

355	Rep. Prozanski	MOTION: Moves LC's: 1646, 1647, 1648, 1649, 1650, 1863, 1931, 1932, 1933, 1934, 1935, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1949, 1950, 1951, 1952 BE INTRODUCED as committee bills.
360	Chair Minnis	Rep. Prozanski moves that we introduce as Committee Bills the Legislative Counsel drafts previously read as shown in (EXHIBIT A) .
365	Rep. Courtney	Tradition in way introduced by Judiciary with further comments.
384	Rep. Wells	As a member of Commerce Committee last session this is a similar process.
386		VOTE: 11-0
	Chair	Hearing no objection, declares the motion CARRIED.
REOPEN WORK SESSION ON HB 2156		
389	Rep. Courtney	MOTION: Moves that we reopen the work session on HB 2156 for the purpose of having a roll call vote taken.
392		VOTE: 11-0
	Chair	Hearing no objection, declares the motion CARRIED.
413	Chair Minnis	Closes Work Session on HB 2156
421	Chair Minnis	Adjourns the meeting at 3:50 P.M.

Submitted By, Reviewed By,

Lauri A. Smith, Scott Lumsden,

Administrative Support Counsel

EXHIBIT SUMMARY

A - Table Listing All Legislative Counsel Draft Sponsor/Requested By -- Staff -- 2 pages