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SENATE COMMITTEE ON CRIME & CORRECTIONS

May 5, 1997 Hearing Room B

1:00 P.M. Tapes 96 - 98

MEMBERS PRESENT:

Sen. Shirley Stull, Chair

Sen. Jeannette Hamby, Vice-Chair

Sen. Avel Gordly

Sen. Eileen Qutub

Sen. Veral Tarno

Sen. Cliff Trow

STAFF PRESENT:

Nikola Jones, Counsel

Julie Clemente, Administrative Support

MEASURE/ISSUES HEARD: Work Session: SB 242, SB 155, SB 156, SB 157

Public Hearing & Work Session: SB 425, SB 693

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 96, A		
004	Chair Stull	Calls meeting to order at 1:15 P.M.
<u>OPENS WORK SESSION ON SB 242</u>		
007	Neil Bryant	Senator representing District 27. Presents SB 242-6 amendments [Exhibit G] >County, Governor's Office, Youth Authority have negotiated, reaching agreement - 6 amendments >allows for inter-governmental agreement >funding would come from Emergency Board
023	Dennis Luke	State Representative, District 54. Thanks Committee for hearing the bill and relates his pleasure with negotiations. >anything to help turn young people around and out of our jail systems is worth trying
033	Sen. Trow	questions -3, -4, -6 amendments in packet
	Bryant	-6 amendments are the ones
	Sen. Trow	Questions regarding the turning of responsibility over to the local communities.
042	Bryant	Need both. Explains.
060	Sen. Trow	Continues questioning for clarification regarding negative consequences.
	Bryant	Replies. Can be. Continues.
064	Luke	Comments for clarification. >Peer Court >need these options
089	Chair Stull	Questions for clarification regarding tougher or easier - kids are still going to McLaren.
	Bryant	Some will still go to the Oregon Youth Authority. Explains.
108	Luke	There are young people who need to go to McLaren. Continues.
	Chair Stull	Questions for clarification regarding 22 beds.
	Bryant	Replies. New number. Continues.
119	Sen. Trow	Trial basis for next two years?
	Bryant	Allows for it to continue if all parties agree it is working well.

	Sen. Trow	Continues to question for clarification.
	Bryant	Does not contain a sunset. Continues.
145	Sen. Tarno	Comments for clarification regarding review process.
152	Sen. Gordly	In your conversations with Ways & Means, they would be looking at the funding as not off setting costs to Oregon Youth Authority (OYA) - separate pilot project?
	Bryant	Replies.
178	Luke	Continues to comment for clarification. Does not help the OYA budget in this budget period.
198	Steve Marks	Governor's Senior Policy Advisor. Explains the origination of the -6 amendments. [Exhibit G] Discusses there is a way to get this job done. Continues. Governor supports concept and wanted a specific implementation plan. >OYA is working with Deschutes County for a clear understanding of the -6 amendments >implementation strategy didn't go far enough in identifying specific services
236	Marks	>solution as provided by -6 amendments >program will be evaluated by an independent third party
249	Sen. Trow	Questions wording `risks exceed the level of resources'.
	Marks	Replies.
266	Scott Johnson	Deschutes County Commission on Children and Families. Replies to Sen. Trow's concerns and explains. >our intent was to achieve better outcomes and contain costs >balance and assure that there would be public safety
286	Marks	Can work on that issue and clarify it. Continues. Committed to working with the partnership >projected maximum cost \$700,000 in this biennium
305	Chair Stull	Why no emergency clause?
	Marks	Replies. Initiate this project as soon as possible.
313	Karen Brazeau	Deputy Director, Oregon Youth Authority. Authority is interested in the concept. Oregon's law contains no incentive nor disincentive. Time will tell if successful between local and state. Discusses concerns and reviews sections of SB -6 amendments [Exhibit G] >Section 1 - line 6 & 8 - Deschutes County would begin in a small and modest way

357	Brazeau	<p>Before funding is released, parties must come to agreement through the inter-governmental agreement. Continues.</p> <p>>lines 6 through 14, page 3</p> <p>>Section 2: Kind of youth they may move out of the OYA. Explains.</p> <p>>Formula for an equitable share of those beds</p>
411	Sen. Trow	Do you anticipate those bed will remain empty?
TAPE 97, A		
007	Brazeau	Replies. No, always running over.
	Sen. Trow	Continues questioning witness for clarification regarding funding concerns of the OYA.
	Brazeau	Replies - jump start for the Governor's Crime Prevention Plan
031	Chair Stull	Project is to consist of those hi-end kids. Continues questioning.
	Johnson	We do. Continues.
042	Chair Stull	Continues questioning for clarification regarding hi-end kids.
	Johnson	Replies.
052	Sen. Qutub	Questions for clarification. Describe some of the programs for prevention.
	Johnson	Replies. Details on programs will be developed between July and September. Hinge on individual youth. Continues to explain.
074	Sen. Qutub	Continues to question. Very few programs work. Give a clearer picture of what the programs might be.
	Marks	You have expressed some of the Governor's concerns. Continues.
110	Dennis Malony	<p>Replies/explains to Sen. Qutub's questions.</p> <p>>clearly there are those offenders who belong at McLeran</p> <p>>work with the OYA</p> <p>>mandatory family participation - court can order family treatment</p> <p>>accountability of the offender to the victim</p> <p>>contracts with the forest service</p>
146	Malony	<p>Look to the OYA for advice and assistance</p> <p>>Stresses that a secure program is the first step. Have the detention capacity immediately. Continues.</p>
	Chair Stull	Questions for clarification.
	Maloney	Non-Measure 11 sex offenders. Continues.

179	Chair Stull	Continues questioning for clarification
	Maloney	Replies. Next year they will dedicate some \$1.4 million to operate the detention facility.
217	Brazeau	Continues. >Page 3, line 26 >lines 8 through 14 on page 4 >we can truly look at this as a demonstration project
244	Sen. Trow	Replicated in other counties?
	Brazeau	Central and Eastern Oregon Juvenile Justice Consortium (CEOJJC) - not a lot of other counties in the state that have the capacity to operate this type of program
266	Sen. Trow	Continues to question for clarification.
	Brazeau	Replies.
272	Brazeau	Continues her review of the bill. >lines 4 through 8 page 5 - beginning July 1, 1999
	Chair Stull	Questions for clarification regarding a cap
	Brazeau	Replies.
309	Brazeau	Continues. Small groups of youth would participate.
	Chair Stull	Questions provision for reporting to legislature.
324	Sen. Gordly	Looking for same language.
	Sen. Tarno	Page 6, line 16 - report to the Emergency Board
331	Maloney	Our intent was to bring a report to a committee of the legislature
	Brazeau	Report would come to a committee of the legislative when the Emergency Board was not meeting. - page 2, lines 12 through 14
352	Sen. Trow	Comments on cause for termination.
	Brazeau	Yes. Continues.
370	Sen. Trow	Questions for clarification regarding termination.
	Maloney	That is what the value of the demonstration project is. Continues. >We are confident we can make it work. Continues.
393	Sen. Trow	Continues questioning.
	Brazeau	Replies. Exactly reason why the OYA does not want the funding to come out of its base.
400	Marks	Deschutes County has been willing to go further on the line. Governor believes in shared risks.
	Sen.	

411	Hamby	Comments for clarification.
	Brazeau	Replies.
432	Sen. Hamby	Page 3, line 19. Public safety reserve beds are not included.
TAPE 96, B		
019	Maloney	Replies. Those youth would not be appropriate. Continues.
	Brazeau	Just too young.
037	Maloney	Those youth will come back to the community. >After OYA has completed their supervision, we would fulfill our responsibility to provide after care.
046	Chair Stull	Questions regarding report to Legislature.
	Brazeau	Pleased to do that. Proper place to insert would be page 2, lines 12 through 14.
052	Sen. Trow	Suggests: Section 4 - top of page 6
061	Maloney	Comments for clarification regarding reporting to interim committees.
068	Sen. Gordly	First heard in the interim - might want to identify the Judiciary Committees as the place for the review - page 2 -lines 12 & 13
	Chair Stull	Identify where in the bill this language needs to be placed.
099	Maloney	Suggests: Judiciary Committees and other appropriate committees.
114	Nikola Jones	Committee Counsel. Questions for clarification.
	Chair Stull	page 2, line 13, after emergency board, legislative assembly judiciary committees, and other interested legislative committees upon request
137	Sen. Hamby	MOTION: Moves to AMEND the SB 242-6 amendments dated 05/05/97 on page 5, in line 15, after "emergency board" insert ", legislative assembly judiciary committees, and other interested legislative committees upon request".
		VOTE: 6-0
	Chair Stull	Hearing no objection, declares the motion CARRIED.
142	Sen. Trow	Questions for clarification regarding conceptual amendment just passed.
	Chair Stull	Clarifies.
148	Jones	You could add same language to other parts of the bill.
	Chair Stull	Suggests: page 5, line 15, report to the emergency board annually, and the legislative assembly bi-annually. page 5, line 12 insert after emergency board, legislative assembly judiciary committees and

		other interested legislative committees upon request on the status of the project
187	Sen. Hamby	MOTION: Moves to AMEND the SB 242-6 amendments dated 05/5/97 on page 5, line 15, by inserting ", and the legislative assembly bi-annually." after "annually" and on page 5, line 12, by inserting ", legislative assembly judiciary committees and other interested legislative committees upon request, " after "Emergency Board".
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Stull	The motion CARRIES.
204	Sen. Trow	MOTION: Moves to ADOPT SB 242-6 amendments as AMENDED dated 05/05/97.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Stull	The motion CARRIES.
209	Sen. Trow	MOTION: Moves SB 242 BE REFERRED to the committee on Ways & Means with a DO PASS recommendation.
	Chair Stull	States she will vote no on this issue and voices her concerns and reasons for the vote.
		VOTE: 5-1 AYE: 5 - Gordly, Hamby, Qutub, Tarno, Trow NAY: 1 - Stull
	Chair Stull	The motion CARRIES.
<u>CLOSES WORK SESSION ON SB 242</u>		
<u>OPENS WORK SESSION ON SB 155</u>		
	Nikola Jones	Committee Counsel. Calls attention to amendments and hand-engrossed version of bill in packet.
217	Dianne Middle	Chair Person, Board of Prisons and Post Prison Supervision. Discusses background to bring Committee up to date. Designed to

		deal with fixed sentences.
260	Middle	>no fiscal initially >explains SB 155 -2 amendments [Exhibit B] for committee
307	Middle	Continues: >offenders who have been planning their next crime - describes what his next crime would be like >bill has support of everyone who is attempting to manage this population
326	Sen. Gordly	Questions regarding fiscal impact.
	Middle	Replies. Bill has to be passed and become effective. Five years or more out before we starting seeing impact on prison bed space. Continues. >rough estimates
376	Sen. Gordly	Continues: Criminal Justice Commission part of that work group?
	Middle	Had many discussions on this with them on this.
391	Sen. Gordly	Speaks of a request from Jim Arneson for amendments. They have been requested and should be ready Wednesday.
	Chair Stull	Perhaps these amendments have taken care of some of his concerns.
407	Jim Arneson	Oregon Criminal Defense Lawyer's Association. These amendments have not taken care of that concern. Speaks to his concern. >Description of the population does not match the broad description that the legislature would be authorizing by this language. Explains.
450	Sen. Gordly	Questions for clarification regarding section referred to by Mr. Arneson.
464	Arneson	Replies: Looking at SB 155-2 amendments, page 2 line 3. Continues.
TAPE 97, B		
035	Sen. Tarno	Questions for clarification regarding flexibility needed by the Parole Board.
042	Arneson	Replies. Limit the types of crimes that the person might be at risk of committing.
053	Chair Stull	Questions for clarification.
		Replies: Great deal of reservation and criticism of the Parole Board

	Arneson	at that time. >without the benefit of legislative defined guidelines
	Chair Stull	Asks Ms. Middle if she has seen a draft of the potential amendments Mr. Arneson is suggesting.
066	Middle	Only seen the original ones which dealt with delay. I have not seen any supplemental ones. Responds to concerns: >takes the best part of what was the matrix system and combines the best part of guidelines. Continues
087	Sen. Tarno	Give us an example of behavior.
	Middle	Replies and gives examples.
114	Sen. Trow	Board makes good decisions most of the time. Continues >Questions decisions based on evidence which is not accurate
	Middle	Replies. All those things go on right now. Continues.
	Sen. Trow	Continues questioning witness
134	Middle	Replies.
138	Sen. Gordly	Suggests Mr. Arneson's issues can be addressed on the House side. >opportunity for both Arneson and Middle to review the language in the proposed amendments
	Arneson	Our objection is not to the purpose of the bill but to its broad language.
173	Sen. Qutub	MOTION: Moves to ADOPT SB 155-2 amendments dated 04/11/97.
		VOTE: 4-2 AYE: 4 - Hamby, Qutub, Tarno, Stull NAY: 2 - Gordly, Trow
	Chair Stull	The motion CARRIES.
180	Sen. Qutub	MOTION: Moves SB 155 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-1 AYE: 5 - Hamby, Qutub, Tarno, Trow, Stull NAY: 1 - Gordly
	Chair	The motion CARRIES

	Stull	
	Sen. Trow	Explains his reasons for vote.
<u>CLOSES WORK SESSION ON SB 155</u>		
<u>OPENS WORK SESSION ON SB 156</u>		
	Dianne Middle	Chair Person, Board of Prisons and Post Prison Supervision Discusses background of bill and submits example to answer Sen. Trow's question regarding knowledge of who would be dangerous. [Exhibit H]
240	Middle	Continues to explain. >estimates regarding fiscal impact >bill requires joint rule making - DOC and County >designed to give Parole Board some flexibility >longer period before impact
275	Middle	Explains SB 156 -3 amendments. [Exhibit C]
306	Sen. Hamby	MOTION: Moves to ADOPT SB 156-3 amendments dated 05/01/97.
		VOTE: 5-1 AYE: 5 - Hamby, Qutub, Tarno, Trow, Stull NAY: 1 - Gordly
	Chair Stull	The motion CARRIES.
315	Sen. Hamby	MOTION: Moves SB 156 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-1 AYE: 5 - Hamby, Qutub, Tarno, Trow, Stull NAY: 1 - Gordly
	Chair Stull	The motion CARRIES. SEN. HAMBY will lead discussion on the floor.
<u>CLOSES WORK</u>		

<u>SESSION ON SB 156</u>		
<u>OPENS WORK SESSION ON SB 157</u>		
314	Dianne Middle	<p>Chair Person, Board of Prisons and Post Prison Supervision Reviews SB 157 for the Committee. It is designed to allow better assistance in the recovery of restitution ordered by the courts. Discusses SB 156-5 amendments. [Exhibit D]</p> <p>>from no fiscal to a fiscal impact</p> <p>>page 2, 15A to 15G, hand engrossed version of bill. Delete complete section.</p> <p>>page 4, line 18 - after determined, insert "or established a maximum amount based on a recommendation by the District Attorney.</p>
375	Middle	At the time of sentencing, the hearing would occur as it does now. Continues.
406	Tim Sylvester	<p>Department of Justice. Speaks to double jeopardy concerns.</p> <p>>provision that allows Board to pay restitution for an un-related crime</p> <p>>our research determines it does not present a double jeopardy problem. Explains.</p>
TAPE 98, A		
030	Sen. Tarno	MOTION: Moves to AMEND the hand engrossed version of SB 157 on page 2, delete lines 15a to 15g. In addition, further AMEND the hand engrossed version of SB 157 on page 4, line 18 after "determined" insert "or established a maximum amount based on a recommendation by the District Attorney"
		<p>VOTE: 4-0</p> <p>AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Sen. Gordly, Sen. Trow</p>
	Chair Stull	The motion CARRIES.
047	Sen. Tarno	MOTION: Moves to ADOPT SB 157-5 amendments as AMENDED dated 05/02/97.
		<p>VOTE: 4-0</p> <p>AYE: In a roll call vote, all members present vote Aye.</p>

		EXCUSED: 2 - Sen. Gordly, Sen. Trow
	Chair Stull	The motion CARRIES.
054	Sen. Hamby	MOTION: Moves SB 157 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Sen. Gordly, Sen. Trow
	Chair Stull	The motion CARRIES. SEN. TARNO will lead discussion on the floor.
<u>CLOSES WORK SESSION ON SB 157</u>		
<u>OPENS PUBLIC HEARING ON SB 425</u>		
076	Les Youngbar	Chief, Lake Oswego Police Department for The Oregon Association Chiefs of Police. Submits written testimony in support of SB 425 - 2 amendments. [Exhibit I]
114	Youngbar	Continues testimony.
134	Chair Stull	Refers to note passed by Ingrid Swenson, Oregon Criminal Defense Lawyers Association. >limiting the authority regarding conduct of out-of-state officers
	Youngbar	Mutual agreement signed in the metro area and in the pursuit agreement we did create limitations. Explains.
148	Nikola Jones	Committee Counsel. Refers to SB 425-2 amendments. [Exhibit E] >page 1, lines 10 through 12 in combination with Section 2 would spell out what limitations that officer has.
	Chair Stull	She is indicating she thinks that would be all right.
<u>CLOSES PUBLIC HEARING ON SB 425</u>		
<u>ADJOURNS MEETING AT 3:15 P.M.</u>		
<u>Committee to</u>		

<u>reconvene at 7:00 p.m.</u>		
<u>CALLS COMMITTEE TO ORDER AT 7:05 p.m.</u>		
<u>OPENS WORK SESSION ON SB 693</u>		
178	Nikola Jones	Committee Counsel. Reviews bill for Committee's information. >discusses SB 693 -1 amendments [Exhibit J] and SB 693-2 amendments [Exhibit J]
205	Sen. Hamby	MOTION: Moves to ADOPT SB 693-1 amendments dated 04/21/97.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Stull	The motion CARRIES.
	Sen. Hamby	Questions for clarification regarding fiscal impact.
	Chair Stull	Never got that far in the process.
	Jones	Received -2 amendments at such a late date, they will be forwarded to fiscal.
	Sen. Hamby	Comments regarding fiscal impact.
220	Sen. Trow	Comments regarding fiscal impact.
236	Sen. Hamby	MOTION: Moves to ADOPT SB 693-2 amendments dated 05/02/97.
238	Sen. Trow	Questions for clarification regarding date.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Stull	The motion CARRIES.
243	Sen. Hamby	MOTION: Moves SB 693 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0

		AYE: In a roll call vote, all members present vote Aye.
	Chair Stull	The motion CARRIES. SEN. HAMBY will lead discussion on the floor.
<u>CLOSES WORK SESSION ON SB 693</u>		
<u>OPENS WORK SESSION ON SB 425</u>		
247	Kevin Campbell	Oregon Association Chiefs of Police. Testifies in support of SB 425 -2 amendments. [Exhibit E] Purpose of bill is patterned after the Washington Peace Officer Power Act. Passed to allow Oregon officers to operate in the State of Washington in limited capacity under limited authority for the purposes of cooperating with the Washington police. >changes the term felony >continue and care about the safety concerns >mutual aid portion
300	Campbell	Cooperating more than ever with neighboring states.
326	Sen. Gordly	Refers to concerns of Ingrid Swenson.
	Campbell	First portion of bill, talks about when this authority is extended >pursuant to a mutual assistance agreement
334	Sen. Gordly	Questions for clarification. Definition of "fresh pursuit" - what is included in traffic offense?
	Campbell	Any traffic offense. Continues.
349	Jones	Points to the two sections that were of concern to Swenson.
357	Sen. Hamby	Questions -2 amendments for clarification regarding liabilities.
	Campbell	Replies.
388	Sen. Trow	MOTION: Moves to ADOPT SB 425-2 amendments dated 05/02/97.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Stull	The motion CARRIES.

394	Sen. Trow	MOTION: Moves SB 425 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0
	Chair Stull	Hearing no objection, declares the motion CARRIED. SEN. STULL will lead discussion on the floor.
	Chair Stull	Adjourns meeting at 7:20 p.m.

Submitted by, Reviewed by,

Julie Clemente, Nikola Jones,

Administrative Support Counsel

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EXHIBIT SUMMARY

A - Proposed SB 425-2 Amendments - Staff - 3 pgs

B - Proposed SB 155-2 Amendments - Staff - 2 pgs

C - Proposed SB 156-3 Amendments - Staff - 1 pg

D - Proposed SB 157-5 Amendments - Staff - 5 pgs

E - Proposed SB 242-4 Amendments - Staff - 6 pgs

F - Proposed SB 425-2 Amendments - Staff - 3 pgs

G - Proposed SB 242-6 Amendments - Neil Bryant - 6 pgs

H - Sample Correction Administrative Review - Dianne Middle - 5 pgs

I - Testimony in Support of SB 425-2 Amendments - Les Youngbar - 3 pgs

J - Proposed SB 693-1 Amendments - Staff - 1 pg

K - Proposed SB 693 -2 Amendments - Staff - 1 pg

SENATE COMMITTEE ON CRIME & CORRECTIONS

May 5, 1997 Hearing Room B

7:00 P.M. Tapes 99 - 100

MEMBERS PRESENT:

Sen. Shirley Stull, Chair

Sen. Jeannette Hamby, Vice-Chair

Sen. Eileen Qutub

Sen. Veral Tarno

Sen. Cliff Trow

STAFF PRESENT:

Nikola Jones, Counsel

Julie Clemente, Administrative Support

MEASURE/ISSUES HEARD: Public Hearing & Possible Work Session: HB 3643

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Tape/#	Speaker	Comments
Tape 99, A		
002	Chair Stull	Calls meeting to order at 7:20 p.m.

OPENS
PUBLIC
HEARING ON
HB 3643

014	Darren Campbell	Oregon Association Chiefs of Police. Testifies in support of HB 3643 >Reviews witnesses and information regarding the health risk factors of marijuana supplied at the joint meeting with House Judiciary Subcommittee on Criminal Law on April 7th.
033	Mike Cahill	Chief of Police, Junction City. Submits written testimony in support of HB 3643. [Exhibit K]
047	Ed Mouery	Lieutenant, Drug Enforcement Section, Oregon State Police. Submits written testimony in support of HB 3643. [Exhibit A]
053	Rod Elkins	Police Chief, City of Molalla. Testifies in support of HB 3643. Tells of personal experiences with his seven brothers being arrested. Watched each of his brothers begin criminal careers to support a drug habit - marijuana >helped in his career choice
118	Dale Blanchard	Citizen from Clackamas County. Presents testimony in opposition of HB 3643. [Exhibit B]
153	Blanchard	Continues testimony
168	Bruce A. Knight	Secretary, Libertarian Party of Oregon. Testifies in opposition of HB 3643. Wants to bring reason into discussion. >punishment doesn't fit the crime >this bill will only make it worse
213	Joe Tabor	Director of Lobbying, Libertarian Party of Oregon. Testifies in opposition to HB 3643. >Discusses reasons he believes bill should not pass. >youth outgrow drugs >marijuana is not addictive >stop drug culture, get out on the street and talk to the kids
274	Knight	I want the best for youth and families.
293	Judy Dottino	Testifies in opposition to HB 3643. Speaks to the THD content of today's marijuana. >higher than what was grown in this country 25 years ago

		<p>>concerned about today's drug programs</p> <p>>this isn't a bill that is geared towards children</p>
337	Dottino	<p>DARE program is not as successful as we wanted it to be</p> <p>>alcohol is much worse</p> <p>>bill is a step backwards</p>
371	T. D. Miller	<p>Director, National Organization for the Reform of Marijuana Laws. Testifies in opposition to HB 3643. Speaks of his beliefs regarding this bill and putting funds to the best use.</p> <p>>not one person has said bill will significantly alter the number of users in the state</p> <p>>doesn't believe minors should be using drugs</p> <p>>do believe in responsible adult use</p> <p>>wasteful of Oregon's resources</p>
475	John E. English	Business Owner, Eugene. Submits written testimony in support of HB 3643. [Exhibit C]
TAPE 100, A		
042	English	<p>Continues testimony.</p> <p>>What hurts is roll modeling.</p>
089	Charles Hodge	<p>Citizen, Lane County. Testifies in support of HB 3643. Asks that Committee review his testimony of April 7th.</p> <p>>sold out a generation of our kids - 95% began drug use with marijuana</p> <p>>need to have a tool that tells these kids it is not acceptable</p> <p>>adults are not acting like grownups</p>
125	Don Schuman	Retired, Portland. Submits written testimony in opposition of HB 3643. [Exhibit D]
191	Sen. Qutub	Comments on scientific studies.
221	Jack Bates	<p>Elected Representative, Portland NORMAL (National Organization for the Reform of Marijuana Laws). Testifies in opposition of HB 3643. Submits newsletter articles. [Exhibit J]</p> <p>Discusses the costs</p> <p>>fixed penalty - replaces with jail</p>

		<ul style="list-style-type: none"> >ineffective jail use >loss of tax revenue >punishment does not fit the crime
275	Bates	Most disturbing about this bill is that possession of less than one ounce would become a crime.
301	Floyd Landrath	<p>Director, American Anti-Prohibition League. Testifies in opposition to HB 3643.</p> <ul style="list-style-type: none"> >laws are the major problem here >creates a huge black market >adult freedom of choice >medical exception
354	Steve Mitchell	<p>Member, Committees of Correspondence; Volunteer Radio Broadcaster. Testifies in opposition of HB 3643.</p> <ul style="list-style-type: none"> >cost of recriminilazation >welfare of children >marijuana is not causing those problems
414	Mitchell	<p>I feel militant about this.</p> <ul style="list-style-type: none"> >recriminalization is unjust repression that when applied to various sectors historically in American society has resulted in actions like the "revolt at Harper's Ferry", ect.
TAPE 99, B		
019	Per Fagereng	Retired newspaperman and public worker. Submits written testimony in opposition to HB 3643. [Exhibit E]
039	Lester Hood	<p>Retired. Testifies in Opposition of HB 3643.</p> <ul style="list-style-type: none"> >costs in terms of jail high >underlying reasons not because of drugs >find some way to provide for medical use
094	Chuck Fall	<p>Resident of Portland. Testifies in opposition of HB 3643. Discusses the need of social policies to solve this issue.</p> <ul style="list-style-type: none"> >problem of children using drugs >putting people in jail for marijuana is unchristian - wrong

130	John Zimmer	<p>Campaign Director, Libertarian Party of Oregon. Expresses his concerns regarding problems seen with legislative process.</p> <ul style="list-style-type: none"> >Failure to allocate enough time for people to speak >bill drives one more wedge between parents and their children >up to parents to deal with their children >marijuana quite tame compared to alcohol
174	Melody Silverwolf	<p>Reads testimony submitted by Sandee Burbank. [Exhibit F]</p> <p>Submits written testimony in opposition of HB 3643. [Exhibit G]</p>
224	Robert Hodge	Submits written testimony in opposition of HB 3643. [Exhibit H]
273	Sen. Hamby	Questions for clarification regarding today's price on the street.
	Hodge	\$250/400 per ounce
300	Paul E. Smith, M.D.	Trama Surgeon, Salem. Submits written testimony in opposition of HB 3643. [Exhibit I]
349	John Skoulte	<p>Testifies in opposition of HB 3643.</p> <p>Cannot legislate morality - leave the law as it is</p> <ul style="list-style-type: none"> >police have enough power >have the people vote on it
407	Dan Koozer	<p>President, Cannabis Liberation Society. Testifies in opposition of HB 3643. Lets not gear everything to the worst case scenario.</p> <ul style="list-style-type: none"> >do we really want to increase the number of people we incarcerate >passing laws to permit police searches
462	Koozer	State of Oregon is a drug dealer.
TAPE 100, B		
033	Paul Stanford	<p>Director of the Campaign for the Restoration and Regulation of Hemp. Testifies in opposition of HB 3643.</p> <ul style="list-style-type: none"> >respect the will of the people and vote down HB 3643
072	Stanford	<p>Continues: Those pictures were actually pictures of monkey brain cells</p> <ul style="list-style-type: none"> >God put hemp on the planet, to prohibit it is a great evil.
CLOSES		

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126	K. Hill	<p>Former President, Medical Explorers. Testifies in opposition of HB 3643. Has seen many brain scans in her line of work and saw no evidence that those were human brain scans. No medical study involving human beings that shows any health effect other than beneficial effects without adverse reactions in the use of cannabis.</p> <ul style="list-style-type: none"> >\$900,000 seems to be incredibly low - called fiscal for background >estimate last time was \$300 million dollars >please refer to Ways & Means >please vote no on HB 3643 >consider people who have medical, religious, and industrial uses for this substance
196	Sen. Qutub	<p>MOTION: Moves HB 3643 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways & Means.</p>
193	Sen. Gordly	<p>States that she will be voting against measure this evening and gives reasons.</p>
236	Sen. Trow	<p>States that he will be voting no on this measure. Believes there is a better bill - Sen. Dwyer's bill dealing with people who deal in drugs.</p>
246	Sen. Hamby	<p>Asks Kevin Campbell to come forward.</p> <ul style="list-style-type: none"> >questions for clarification regarding the downgrading of a Class C misdemeanor.
	Campbell	<p>Yes. Currently the district attorneys have discretion.</p>
	Sen. Hamby	<p>Continues questioning witness for clarification.</p>
316	Sen. Gordly	<p>Does the Association of Chiefs of Police have a position on the Oregon State Police budget?</p>
	Campbell	<p>Replies. We partner with the state police. Continues.</p> <ul style="list-style-type: none"> >other options to funding >other budgets that have money >supportive of the state police

347	Sen. Gordly	Continues questioning for clarification regarding numbers of Oregon State Police.
	Campbell	If those were the only two issues before us for funding, it would be a difficult decision to make. >not that simple of a decision
401	Sen. Qutub	Comments for clarification. There are ways that budgets can be cut. >there are other choices
420	Sen. Hamby	Comments for clarification regarding deep cuts.
461		VOTE: 4-2 AYE: 4 - Hamby, Qutub, Tarno, Stull NAY: 2 - Gordly, Trow
	Chair Stull	The motion CARRIES. SEN. STULL will lead discussion on the floor.
	Chair Stull	Adjourns meeting at 9:15 p.m.

Submitted by, Reviewed by,

Julie Clemente, Nikola Jones,

Administrative Support Counsel

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EXHIBIT SUMMARY

A - Testimony in Support of HB 3643 - Ed Mouery - 8 pgs

B - Testimony in Opposition to HB 3643 - Dale Blanchard - 1 pg

C - Testimony in Support of HB 3643 - John English - 6 pgs

D - Testimony in Opposition to HB 3643 - Don Schuman - 2 pgs

E - Testimony in Opposition to HB 3643 - Per Fagereng - 1 pg

F - Testimony in Opposition to HB 3643 - Sandee Burbank - 1 pg

G - Testimony in Opposition to HB 3643 - Melodie Silverwolf - 1 pg

H - Testimony in Opposition to HB 3643 - Robert Hodge - 1 pg

I - Testimony in Opposition to HB 3643 - Paul E. Smith, M.D. - 2 pgs

J - Newspaper Articles in Opposition to HB 3643 - Jack Bates - 2 pgs

K - Testimony in Support of HB 3643 - Mike Cahill - 2 pgs
