

HOUSE COMMITTEE ON
JUDICIARY

Hearing Room
Tape

MEMBERS PRESENT:

Rep. Del Parks, Chair
Rep. Kate Brown, Vice-Chair
Rep. Chuck Carpenter
Rep. Peter Courtney
Rep. Jerry Grisham
Rep. Bryan Johnston
Rep. Leslie Lewis
Rep. Lisa Naito
Rep. Floyd Prozanski
Rep. Eileen Qutub
Rep. Veral Tarno
Rep. Bob Tiernan

STAFF PRESENT:

Holly Robinson, Committee Counsel
Milt Jones, Committee Counsel
Janet Ellingsworth, Committee Assistant

MEASURES HEARD:

Work session on HB 2692
Work session on HB 2212
Work session on HB 2316
Work session on SB 45
Work session on SB 69 A

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE , A

004 CHAIR PARKS: Convenes meeting at 10:05 A.M.

OPENS the WORK SESSION on HB 2692

006 CHAIR PARKS: I'm going to ask the committee to bring HB 2692 back to the civil subcommittee.

020 MOTION: REP. BROWN: Moves HB 2692 to the civil administration subcommittee for additional

024 CHAIR PARKS: Hearing no objections the

OPENS the WORK SESSION on HB 2212

029 ROBINSON: Brief overview of HB 2212. [EXHIBIT B].

040 MOTION: REP. TARNO: Moves HB 2212 as amended, to the Floor with a do pass recommendation.

045 VOTE: In a roll call vote all members present vote

055 CHAIR PARKS: The motion CARRIES.

058 REP. TARNO will lead discussion on the Floor.

OPENS the WORK SESSION on HB 2316

060 ROBINSON: Brief overview of HB 2316. [EXHIBIT C].

065 CHAIR PARKS: Explains his position on HB 2316.

080 REP. TARNO: In subcommittee, we had two varying opinions on the stalking order.

089 CHAIR PARKS: I don't want to work these bills in the full committee, I want the subcommittee to do their job.

092 REP. GRISHAM: Is your intent to vote it up or down now?

095 CHAIR PARKS: We will vote it up or down now.

96 MOTION: REP. GRISHAM: Moves HB 2316 back to the crime subcommittee.

098 REP. TIERNAN: Asks committee to explain what the problem is referring

to HB 2316.

103 REP. PROZANSKI: Explains issues discussed during the crime subcommittee meetings.

131 REP. TIERNAN: What's the opposing argument?

138 CHAIR PARKS: I don't want to fight it out in the full committee.

140 REP. PROZANSKI: The opposing argument is that a law enforcement officer should be allowed to issue this order under the premise that there going to be brought in front of the court within three days.

150 CHAIR PARKS: A police officer, whenever he has a contact with someone, does make a determination to cite or arrest a person.

153 REP. QUTUB: Is the person who is being stalked protected immediately and as much if we change the amendment as Rep. Prozanski is suggesting?

158 CHAIR PARKS: It is my opinion is that they will be more protected.

164 REP. LEWIS: A police officer can arrest a person for stalking, and police do make arrests without warrants. A simple citation is not going to give women as much protection.

188 REP. TIERNAN: I've never heard this argument before, is this your own argument or is this something you have read elsewhere?

194 REP. PROZANSKI: It's my argument, it has also been substantiated by two judges out of Lane county.

199 REP. NAITO: If it wasn't a constitutional issue before this hearing today, it certainly is now.

208 REP. JOHNSTON: I would support the motion to move this back to crime subcommittee.

219 REP. BROWN: In terms of, will this provide more protection, I think people would rather have a bill that meets constitutional muster.

222 REP. GRISHAM: In reference to the crime subcommittee, I think we've erred in eliminating the "bad faith" provision.

238 REP. TARNO: I'm willing to bring it back into the subcommittee.

251 VOTE: In a roll call vote all members present vote

256 CHAIR PARKS: The motion CARRIES.

OPENS the WORK SESSION on SB 45

270 JONES: Gives overview of SB 45.

279 MOTION: REP. BROWN: Moves SB 45 to the recommendation.

282 REP. TIERNAN: Was testimony provided on the employers side as to whether this will have an effect on their unemployment appeals?

286 JONES: No, there was not. My recollection is that it was heard without opposition.

289 REP. TARNO: Was there any discussion regarding internal affairs investigations?

291 JONES: No.

293 VOTE: In a roll call vote all members present vote AYE.

307 CHAIR PARKS: The motion CARRIES.

309 REP. QUTUB will lead discussion on the Floor.
OPENS the WORK SESSION on SB 69

309 JONES: Gives overview of SB 69.

322 MOTION: REP. JOHNSTON: Moves SB 69 to the Floor with a do pass recommendation.

340 VOTE: In a roll call vote all member vote AYE.

345 CHAIR PARKS: The motion CARRIES.

350

REP. BROWN will lead discussion on the

355 CHAIR PARKS: With nothing further from the committee the meeting is
adjourned at 10:20 A.M.

Submitted by, Reviewed by,

Janet Ellingsworth Debra Johnson
Committee Clerk Committee Coordinator

EXHIBIT SUMMARY:

- A - Proposed amendments to HB 2692 - staff - 1 page
- B - Proposed amendments to HB 2212 - staff - 1 page
- C - Proposed amendments to HB 2316 - staff - 2 pages