

HOUSE COMMITTEE ON JUDICIARY CRIME AND CORRECTIONS

January 28, 1993 Hearing Room 357 3:00 p.m. Tape 10

MEMBERS PRESENT: Rep. Bob Tiernan, Chair Rep. Kate Brown Rep. Peter Courtney Rep. Veral Tarno

MEMBER EXCUSED: Rep. Del Parks, Chair

STAFF PRESENT: Julie Dow, Committee Clerk Carol Souvenir, Legislative Counsel

MEASURES CONSIDERED: HB 2249 - Authorizes Attorney General to release money judgement lien resulting from criminal sentence in certain cases.

HB 2250 - Authorizes Director of Department of Corrections to designate substances to be used to carry out death penalty.

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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. [--- Unable To Translate Graphic ---]

TAPE 10, SIDE A

HB 2249 - RELATING TO CRIMINAL PROCEDURE - PUBLIC HEARING Witnesses: Ruth Thomas, Department of Justice

001 CHAIR TIERNAN: Opens hearing on HB 2249 and requests counsel to give summary of bill.

003 CAROL SOUVENIR, LEGISLATIVE COUNSEL: Gives a summary of bill's purpose and intent.

015 RUTH THOMAS, ASSISTANT ATTORNEY GENERAL WITH THE FINANCIAL FRAUD DIVISION OF OREGON DEPARTMENT OF JUSTICE: Submits and reviews written

testimony. (EXHIBIT A)

033 REP TARNO: Asks if bill will speed up collection.

038 THOMAS: No. Has no impact on processing. Comes into play only at defendants request when property is being sold.

044 CHAIR TIERNAN: Closes public hearing on HB 2249.

HB 2249 - RELATING TO CRIMINAL PROCEDURE - WORK SESSION

048 REP TARNO: States that in his estimation, the bill would allow the state to take advantage of these funds in a more efficient manor.

064 MOTION: Rep. Brown moves HB 2249 be referred to full committee with a do pass recommendation.

068 VOTE: In a roll call vote, the motion passes with Rep. Brown, Courtney, Tarno, and Chair Tiernan voting aye.

HB 2250 - RELATING TO THE DEATH PENALTY - PUBLIC HEARING Witnesses: Jef Van Valkenburgh, Dept. of Justice Denis Dowd, Dept. of Corrections

072 CHAIR TIERNAN: Opens hearing on HB 2250.

073 CAROL SOUVENIR, LEGISLATIVE COUNSEL: Summarizes bill and states that current combination of drugs is ineffective according to Oregon

Department of Correction.

081 JEF VAN VALKENBURGH, OREGON DEPT. OF JUSTICE: Submits written testimony in favor of HB 2250 (EXHIBIT B).

102 REP. BROWN: Asks when lethal injection was last used.

105 DENIS DOWD, DEPT. OF CORRECTIONS: Believes last execution was 196 4 although it was not by lethal injection. (EXHIBIT C)

112 CHAIR TIERNAN: Are there a number of substances that are under consideration?

112 DOWD: All states that use injection use the same three chemicals: sodium pentothal, pabulon and potassium chloride, the third of which we don't

use. Current statute is not clear on our ability to use it.

127 CHAIR TIERNAN: So this bill insures that you have flexibility as new technology comes along.

129 DOWD: That is correct.

130 CHAIR TIERNAN: Closes public hearing on HB 2250.

HB 2250 - RELATING TO THE DEATH PENALTY - WORK SESSION

137 REP. BROWN: I have a hard time with the death penalty.

138 REP. TARNO: The committee is not voting on the death penalty but looking for a fair and humane way to carry out state law.

What would happen if we didn't act on this bill? Would the Dept. of Corrections be mandated by restrictions of this law? Believes that according to testimony, this bill is far more humane and thinks the committee probably should take some action.

167 MOTION: REP. TARNO moves HB 2250 be referred to full committee with a do pass recommendation.

168 VOTE: In a roll call vote, HB 2250 passes with Rep. Courtney, Tarno, and Chair Tiernan voting aye; Rep. Brown voting no.

175 CHAIR TIERNAN: Adjourns meeting at 3:50 p.m.

Submitted by:

Reviewed by:

Julie Nolta
Committee Administrator

Betina Rothauser Committee Clerk

EXHIBIT LOG: A - Testimony on HB 2249 - Ruth Thomas - 2 pages B -
Testimony on HB 2250 - Jef Van Valkenburgh - 1 page C - Testimony on HB
2250 - Denis Dowd - 1 page