

SENATE COMMITTEE ON
JUDICIARY

April 27, 1993 Hearing Room B
1:00 p.m. Tapes 127-128

MEMBERS PRESENT: Sen. Dick Springer, Chair
 Sen. Jeannette Hamby
 Sen. Karsten Rasmussen
 Sen. Bob Shoemaker
 Sen. Gordon Smith
 Sen. Catherine Webber

MEMBERS EXCUSED: Sen.

STAFF PRESENT: Karen Quigley, Committee Counsel
 Kirk Bailey, Committee Assistant

ISSUES DISCUSSED: Work Session on SB 301, SB 230, SB 461
 Public Hearing and Possible Work Session on SB 621,
 SB
 462, SB 1088, SB 1092, SB 895, SB 769

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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.

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TAPE 122, SIDE A

003 CHAIR SPRINGER: Opens the hearing at 1:15 pm.

SB 769: Authorizes selected jurisdictions in state to operate photo
radar
 demonstration project.

WITNESSES:
SENATOR COOLEY

011 SENATOR COOLEY: Testifies in support of the bill.

048 CHAIR SPRINGER: Recesses on SB 769. Reviews ground rules
for
 consideration of SB 1088.

SB 1088: Punishes failure to wear protective headgear while operating
bicycle
 or while riding as passenger on bicycle by maximum fine of \$50.

WITNESSES:

067 SENATOR CEASE: Testifies in support of the bill. Submits background information in support of the bill (EXHIBIT A).

191 SEN. HAMBY: Prepared to drop penalty from class B to \$25?

SEN. CEASE: Yes.

194 SEN. HAMBY: Selling unapproved equipment, is \$50 or class B too high?

SEN. CEASE: May not be too high in that case.

202 CLAUDIA BANKS, LEGISLATIVE ASSISTANT TO SEN. CEASE: Testifies in support of the bill.

219 LUANNE TAMANY, PORTLAND ADVENTIST MEDICAL CENTER: Testifies in support of the bill.

245 JOANN FAIRCHILD, EMMANUEL HOSPITAL: Submits and reviews written testimony in support of the bill (EXHIBIT Y).

298 MARK TOCHEN, CITIZEN: Submits and reviews written testimony in support of the bill (EXHIBIT B).

424 SEN. HAMBY: Helmets can be out-grown?

TOCHEN: Correct, 4 sizes are available.

437 SEN. HAMBY: No exchange program?

TOCHEN: Good idea, will review.

TAPE 128, SIDE A

008 SENATOR COOLEY: Testifies in support of the bill.

042 REPRESENTATIVE NAITO: Submits and reviews written testimony in support of the bill (EXHIBITS C).
>Submits and reviews written testimony in support of the bill on behalf of Geoff Sanders (EXHIBIT D).

067 SEN. HAMBY: Do you support Sanders amendments?

REP. NAITO: Not familiar.

069 SEN. HAMBY: What are the out-moded statute to which he refers?

REP. NAITO: Will review.

074 REPRESENTATIVE BROWN: Testifies in support of the bill.

089 KATHY MASARIE, BIKE SAFETY EDUCATION PROGRAM FOR CHILDREN: Submits and

reviews written testimony in support of the bill (EXHIBITS E & CC).

156 LARRY HALL, CITIZEN: Testifies in support of the bill.

211 ED HALL, CITIZEN: Testifies in support of the bill.

241 JIM LACE, CITIZEN: Submits and reviews written testimony in support of
of
the bill (EXHIBIT N). Submits videotape with background information
about the bill.

295 SCOTT THOMPSON, AUTOMOBILE ASSOCIATION OF OREGON: Submits and
reviews
written testimony in support of the bill (EXHIBIT F).

314 MAJOR HARRY MULLINS, OREGON STATE SHERIFF'S ASSOCIATION: Testifies
in
support of the bill.

354 WALT MCALLISTER, DEPARTMENT OF TRANSPORTATION: Submits and
reviews
written testimony in support of the bill (EXHIBIT G,H & J).

396 LLOYD ATHEARN, HEALTH DIVISION: Submits and reviews written
testimony
in support of the bill (EXHIBIT I).

430 SCOTT TOWNER, STUDENT: Submits and reviews written testimony
in
opposition to the bill (EXHIBIT X).

449 FORREST CHARLES, STUDENT: Submits and reviews written testimony
in
support of the bill (EXHIBIT W).

482 JEFF OSGOOD, STUDENT: Submits and reviews written testimony in
support
of the bill (EXHIBIT V).

TAPE 127, SIDE B

042 JORDAN WILEY, STUDENT: Submits and reviews written testimony
in
opposition to the bill (EXHIBIT M).

047 ANTOINE IDE, STUDENT: Submits and reviews written testimony
in
opposition to the bill (EXHIBIT K).

052 DOUGLAS SHEPPLER, STUDENT: Submits and reviews written testimony
in
opposition to the bill (EXHIBIT L).

066 REX BURKHOLDER, OREGON BICYCLE ADVISORY COMMITTEE: Testifies
in
opposition to the bill.

136 SEN. HAMBY: Was there a vote of the advisory council?

BURKHOLDER: Yes. Official recommendation.

138 SEN. HAMBY: Reviewed Department of Transportation's cause of accidents by type?

BURKHOLDER: Yes, we advise that program.

143 TOM WOLBERT, BICYCLE FEDERATION OF OREGON: Submits and reviews written testimony in opposition to the bill (EXHIBIT U).

172 RICK BROWNING, PORTLAND BICYCLE ADVISORY COMMITTEE: Testifies in opposition to the bill.

242 CARL RILLING, CITIZEN: Testifies in opposition to the bill.

288 CHAIR SPRINGER: Recesses on SB 1088.

WESLEY RISHER, CITIZEN: Submits background information only in support of the bill (EXHIBIT DD).

SB 769: Authorizes selected jurisdictions in state to operate photo radar demonstration project.

WITNESSES:

ROBERT ERICSSON, MOUNTAIN PARK HOME OWNERS ASSOCIATION
CATHY STANTON, GREENWAY NAC AND BURTON CCI
REPRESENTATIVE SHARON WYLIE
CLARICE WHITE, CITIZEN
GAIL NEUBERG, WEST BURNSIDE TRAFFIC TASK FORCE

303 ROBERT ERICSSON: Testifies in support of the bill.

372 CHAIR SPRINGER: Is your home in Multnomah County?

ERICSSON: Mountain Park is split between Clackamas and Multnomah. Personal residence is in Multnomah.

382 CATHY STANTON: Testifies in support of the bill.
>Notes support for SB 1088.

458 REPRESENTATIVE WYLIE: Submits and reviews written testimony in support of the bill on behalf of Ted Gathe (EXHIBIT O).

TAPE 128, SIDE B

030 REP. WYLIE: Completes testimony in support.

052 CLARICE WHITE: Submits and reviews background information in support of the bill (EXHIBIT P).

085 GAIL NEUBERG: Submits and reviews written testimony in support of the bill (EXHIBIT Q).

161 CHAIR SPRINGER: Limits testimony on the bill.
>Notes the following individuals support the bill: Erica Rooney, Linda Meng and Les Youngbar.
>Notes David Fidanque, ACLU, opposes the bill.

VIRGIL FLATH, CITIZEN: Submits written testimony and petitions only in support of the bill (EXHIBIT Z & AA).

SB 1092: Provides that fingerprints and photographs of child found within jurisdiction of juvenile court for having committed act which if committed by adult would be felony may be kept in central depository with those of adults.

WITNESSES:

SENATOR CATHERINE WEBBER
CHUCK KARL, DEPUTY CHIEF, PORTLAND POLICE
BILL BENNINGTON, LIEUTENANT, PORTLAND POLICE
LES YOUNGBAR, OREGON CHIEFS ASSOCIATION

181 SEN. WEBBER: Submits and reviews written testimony in support of the bill on behalf of R.E. Steele, Polk County Sheriff (EXHIBIT T).
>Testimony from Sheriff Steele notes support of sheriff's from Yamhill, Linn, Marion and Jackson counties.

220 CHUCK KARL: Testifies in support of the bill.
>Reviews proposed SB 1092-1 amendments (EXHIBIT R).

264 BILL BENNINGTON: Submits and reviews written testimony in support of the bill (EXHIBIT S).

354 LES YOUNGBAR: Testifies in support of the bill.

DEAN RENFROW, LAW ENFORCEMENT LEGISLATIVE COMMITTEE: Submits written testimony only in support of the bill (EXHIBIT BB).

359 CHAIR SPRINGER: Adjourns the hearing at 3:00 pm.
>Bills not heard due to lack of time will be carried over for later hearing.

Submitted by:

Reviewed by:

Kirk Bailey
Assistant

Karen Quigley
Administrator

EXHIBIT LOG:

A - Testimony on SB 1088, Senator Cease, 1 page
B - Testimony on SB 1088, Mark Tochen, 3 pages
C - Testimony on SB 1088, Representative Lisa Naito, 2 pages
D - Testimony on SB 1088, Geoff Sanders, 5 pages
E - Testimony on SB 1088, Kathleen Masarie, 4 pages
F - Testimony on SB 1088, Scott Thompson, 1 page
G - Testimony on SB 1088, Department of Transportation, 16 pages
H - Testimony on SB 1088, Walt McAllister, 2 pages
I - Testimony on SB 1088, Lloyd Athearn, 2 pages
J - Testimony on SB 1088, Walt McAllister, booklet
K - Testimony on SB 1088, Antoine Ide, 1 page
L - Testimony on SB 1088, Douglas Shepler, 1 page
M - Testimony on SB 1088, Jordan Wiley, 1 page
N - Testimony on SB 1088, James Lace, 2 pages
O - Testimony on SB 769, Ted Gathe, 1 page
P - Testimony on SB 769, Clarice White, 5 pages
Q - Testimony on SB 769, Gail Neuburg, 5 pages
R - Amendments to SB 1092, Staff, 2 pages
S - Testimony on SB 1092, Bill Bennington, 7 pages
T - Testimony on SB 1092, R.E. Steele, 1 page
U - Testimony on SB 1088, Tom Wolbert, 1 page
V - Testimony on SB 1088, Jeff Osgood, 1 page
W - Testimony on SB 1088, Forrest Charles, 1 page
X - Testimony on SB 1088, Scott Towner, 1 page
Y - Testimony on SB 1088, Joanne Fairchild, 8 pages
Z - Testimony on SB 769, Virgil Flath, 5 pages
AA - Testimony on SB 769, Virgil Flath, 1 page
BB - Testimony on SB 1092, Dean Renfrow, 3 pages
CC - Testimony on SB 1088, Kathleen Masarie, packet
DD - Testimony on SB 1088, Wesley Risher, booklet.