

HOUSE COMMITTEE ON JUDICIARY

February 04, 2013
1:00 p.m.

Hearing Room 343

MEMBERS PRESENT: Chair Jeff Barker
Vice-Chair Chris Garrett
Vice-Chair Wayne Krieger
Rep. Wally Hicks
Rep. Brent Barton
Rep. Kevin Cameron
Rep. Wally Hicks
Rep. Andy Olson
Rep. Carolyn Tomei
Rep. Jennifer Williamson

STAFF PRESENT: Bill Taylor, Committee Counsel
Michael Schmidt, Committee Counsel
Samantha Briggs, Committee Assistant

MEASURES/ISSUES HEARD: Organizational Meeting
Adoption of Committee Rules
Introduction of Members
Introduction of Committee Staff
Introduction of Committee Measures – Work Session
HB 2114 – Public Hearing
HB 2115 – Public Hearing
HB 2116 – Public Hearing
HB 2117 – Public Hearing
HB 2121 – Public Hearing
HB 2052 – Public Hearing

Recording Log

1:03:50 PM Meeting Called to Order by Chair Barker

1:04:13 PM Chair Barker

1:04:22 PM **Adoption of Committee Rules - Organizational Meeting**

1:04:23 PM {Exhibit} 1: Chair Barker

1:04:24 PM Vice-Chair Krieger

1:04:29 PM Chair Barker

1:04:31 PM MOTION: VICE-CHAIR KRIEGER MOVES ADOPTION OF COMMITTEE RULES

1:04:32 PM VOTE: 9-0-0
1:04:33 PM AYES: BARKER, GARRETT, KRIEGER, BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON

1:04:40 PM **Introduction of Committee Members - Organizational Meeting**
1:04:42 PM Chair Barker

1:05:04 PM **Introduction of Committee Staff - Organizational Meeting**
1:05:10 PM Bill Taylor, Committee Counsel
1:06:38 PM Chair Barker
1:06:51 PM Rep. Cameron

1:07:36 PM **Introduction of Committee Measures - Work Session**
1:08:00 PM {Exhibit} 2-8: Chair Barker
1:10:35 PM Vice-Chair Krieger
1:10:36 PM MOTION: VICE-CHAIR KRIEGER MOVES LC 2633, LC 3237, LC 2743, LC 2742, LC 2741, LC 1918, AND LC 2910 BE INTRODUCED AS COMMITTEE BILLS
1:10:37 PM VOTE: 9-0-0
1:10:38 PM AYES: BARKER, GARRETT, KRIEGER, BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON
1:10:50 PM Michael Schmidt, Committee Counsel

1:11:05 PM **HB 2114 - Public Hearing**
1:11:13 PM Chair Barker
1:11:20 PM {Exhibit} 9: Rep. Jim Thompson, House District 23
1:21:20 PM Chair Barker
1:22:48 PM Gail Meyer, Oregon Criminal Defense Lawyers Association
1:23:45 PM {Exhibit} 10: Neal Weingart, Oregon Criminal Defense Lawyers Association
1:31:15 PM Chair Barker
1:31:18 PM Vice-Chair Garrett
1:31:43 PM Weingart
1:33:16 PM Meyer
1:34:17 PM Chair Barker
1:34:31 PM Meyer
1:35:23 PM Weingart
1:36:35 PM Chair Barker
1:37:00 PM {Exhibit} 11: Deena Ryerson, Senior Assistant of Attorney General, Department of Justice
1:46:09 PM Chair Barker
1:46:20 PM Ryerson
1:47:32 PM Chair Barker
1:47:35 PM Will Lathrup, Oregon District Attorneys Association
1:49:29 PM Chair Barker
1:49:30 PM Vice-Chair Garrett

1:49:48 PM Lathrup
1:49:53 PM Ryerson
1:50:59 PM Vice-Chair Garrett
1:51:48 PM Chair Barker
1:51:49 PM Rep. Hicks
1:52:07 PM Ryerson
1:52:15 PM Rep. Hicks
1:52:17 PM Ryerson
1:52:26 PM Chair Barker
1:52:27 PM Rep. Barton
1:53:22 PM Ryerson
1:53:23 PM The following written testimony is submitted for the record without public testimony:
1:53:24 PM {Exhibit} 12: Chuck Hayes, Chair of Governor's Advisory Committee on DUII
1:55:05 PM Chair Barker

1:55:15 PM **HB 2115 - Public Hearing**
1:55:23 PM Chair Barker
1:55:30 PM Michael Schmidt, Committee Counsel
1:56:07 PM Chair Barker
1:56:27 PM Bob Russell, Oregon Trucking Association
2:00:25 PM Chair Barker
2:01:18 PM {Exhibit} 13: Gail Meyer, on behalf of Becky Straus
2:01:31 PM {Exhibit} 14: Neal Weingart, Oregon Criminal Defense Lawyers Association
2:09:47 PM Vice-Chair Krieger
2:09:52 PM Rep. Olson
2:10:29 PM Russell
2:12:06 PM Weingart
2:14:11 PM Vice-Chair Krieger
2:14:59 PM Weingart
2:17:16 PM Vice-Chair Krieger
2:17:38 PM Deena Ryerson, Senior Assistant of Attorney General, Department of Justice
2:23:07 PM Vice-Chair Krieger
2:23:10 PM Rep. Hicks
2:23:22 PM Ryerson
2:24:04 PM Rep. Hicks
2:24:36 PM Ryerson
2:24:46 PM {Exhibit} 15: Joshua Wilson, Washington County Sheriff Office, Drug Recognition Expert
2:30:10 PM Rep. Cameron
2:30:14 PM Wilson
2:30:41 PM Will Lathrup, Oregon District Attorneys Association
2:35:43 PM The following written testimony is submitted for the record without public

testimony:

2:35:44 PM {Exhibit} 16: Chuck Hayes, Chair of Governor's Advisory Committee on DUII

2:35:45 PM {Exhibit} 17: Rep. Jim Thompson, House District 23

2:35:46 PM Vice-Chair Krieger

2:36:04 PM **HB 2116 - Public Hearing**

2:36:23 PM Vice-Chair Krieger

2:36:29 PM Michael Schmidt, Committee Counsel

2:36:53 PM {Exhibit} 18: Gail Meyer, Oregon Criminal Defense Lawyers Association

2:37:59 PM The following written testimony is submitted for the record without public testimony:

2:38:00 PM {Exhibit} 19: Rep. Jim Thompson, House District 23

2:39:52 PM Vice-Chair Krieger

2:40:07 PM **HB 2117 - Public Hearing**

2:40:16 PM Michael Schmidt, Committee Counsel

2:40:42 PM Vice-Chair Krieger

2:41:28 PM {Exhibit} 20: Sally Penna, Alcohol and Drug Evaluation Screening Specialist, Polk County

2:43:38 PM Vice-Chair Krieger

2:43:48 PM {Exhibit} 21: Miki Mace, Alcohol and Drug Evaluation Screening Specialist

2:45:55 PM {Exhibit} 22: Anne Pratt, Public Policy Liaison, Mothers Against Drunk Driving

2:49:46 PM Vice-Chair Krieger

2:49:50 PM Rep. Hicks

2:49:53 PM Vice-Chair Krieger

2:50:38 PM {Exhibit} 23: Amy Joyce, Legislative Liaison for the Oregon Department of Transportation

2:52:07 PM Will Lathrup, Oregon District Attorneys Association

2:53:56 PM Rep. Olson

2:54:07 PM Joyce

2:55:02 PM Rep. Olson

2:55:03 PM Joyce

2:55:32 PM Rep. Cameron

2:55:49 PM Joyce

2:56:35 PM Rep. Hicks

2:57:06 PM Joyce

2:57:36 PM Rep. Hicks

2:57:46 PM Vice-Chair Krieger

2:57:47 PM The following written testimony is submitted for the record without public testimony:

2:57:48 PM {Exhibit} 24: Rep. Jim Thompson, House District 23

2:57:49 PM {Exhibit} 25: Chuck Hayes, Chair of Governor's Advisory Committee on DUII

2:57:50 PM {Exhibit} 26 Teresa Douglas, Governor's Advisory Committee on DUII,

Alcohol and Drug Evaluation Specialist

2:57:56 PM HB 2121 - Public Hearing

2:58:03 PM Michael Schmidt, Committee Counsel

2:58:19 PM Vice-Chair Krieger

2:58:36 PM {Exhibit} 27: Amy Joyce, Legislative Liaison for the Oregon Department of Transportation

3:00:44 PM Kimberly Dailey, Staff Counsel, Oregon Judicial Department

3:02:35 PM Will Lathrup, Oregon District Attorneys Association

3:03:19 PM The following written testimony is submitted for the record without public testimony:

3:03:20 PM {Exhibit} 28: Rep. Jim Thompson, House District 23

3:03:21 PM {Exhibit} 29: Chuck Hayes, Chair of Governor's Advisory Committee on DUII

3:04:28 PM Vice-Chair Krieger

3:05:03 PM HB 2052 - Public Hearing

3:05:11 PM Michael Schmidt, Committee Counsel

3:05:20 PM {Exhibit} 30: Sally Penna, Alcohol and Drug Evaluation Screening Specialist, Polk County

3:06:13 PM Vice-Chair Krieger

3:06:20 PM Meeting Adjourned by Vice-Chair Krieger

Exhibit Summary

1:04:23 PM {Exhibit} 1: House Committee on Judiciary Rules, staff, 3 pp

1:08:00 PM {Exhibit} 2: Introduction of Legislative Concepts, LC 2633, staff, 4 pp

1:08:00 PM {Exhibit} 3: Introduction of Legislative Concepts, LC 3237, staff, 3 pp

1:08:00 PM {Exhibit} 4: Introduction of Legislative Concepts, LC 2743, staff, 2 pp

1:08:00 PM {Exhibit} 5: Introduction of Legislative Concepts, LC 2742, staff, 7 pp

1:08:00 PM {Exhibit} 6: Introduction of Legislative Concepts, LC 2741, staff, 13 pp

1:08:00 PM {Exhibit} 7: Introduction of Legislative Concepts, LC 1918, staff, 3 pp

1:08:00 PM {Exhibit} 8: Introduction of Legislative Concepts, LC 2910, staff, 4 pp

1:12:27 PM {Exhibit} 9: HB 2114, written testimony, Rep. Thompson, 2 pp

1:24:13 PM {Exhibit} 10: HB 2114, written testimony, Neal Weingart, 3 pp

1:37:00 PM {Exhibit} 11: HB 2114, written testimony, Deena Ryerson, 2 pp

1:53:24 PM {Exhibit} 12: HB 2114, written testimony, Chuck Hayes, 3 pp

2:01:18 PM {Exhibit} 13: HB 2115, written testimony of Becky Straus, Gail Meyer, 2 pp

2:03:09 PM {Exhibit} 14: HB 2115, written testimony, Neal Weingart, 3 pp

2:24:46 PM {Exhibit} 15: HB 2115, written testimony, Joshua Wilson, 2 pp

2:35:44 PM {Exhibit} 16: HB 2115, written testimony, Chuck Hayes, 3 pp

2:35:45 PM {Exhibit} 17: HB 2115, written testimony, Rep. Thompson, 2 pp

2:37:16 PM {Exhibit} 18: HB 2116, written testimony, Gail Meyer, 2 pp

2:38:00 PM {Exhibit} 19: HB 2116, written testimony, Rep. Thompson, 2 pp

2:41:28 PM {Exhibit} 20: HB 2117, written testimony, Sally Penna, 1 p

2:43:58 PM {Exhibit} 21: HB 2117, written testimony, Miki Mace, 1 p

2:46:12 PM {Exhibit} 22: HB 2117, written testimony, Anne Pratt, 3 pp
2:50:38 PM {Exhibit} 23: HB 2117, written testimony, Amy Joyce, 1 p
2:57:48 PM {Exhibit} 24: HB 2117, written testimony, Rep. Thompson, 2 pp
2:57:49 PM {Exhibit} 25: HB 2117, written testimony, Chuck Hayes, 3 pp
2:57:50 PM {Exhibit} 26: HB 2117, written testimony, Teresa Douglas, 2 pp
2:58:36 PM {Exhibit} 27: HB 2121, written testimony, Amy Joyce, 1 p
3:03:20 PM {Exhibit} 28: HB 2121, written testimony, Rep. Thompson, 2 pp
3:03:21 PM {Exhibit} 29: HB 2121, written testimony, Chuck Hayes, 3 pp
3:05:41 PM {Exhibit} 30: HB 2052, written testimony, Sally Penna, 1 p
