

HOUSE COMMITTEE ON JUDICIARY

March 24, 2011
1:00 P.M.

Hearing Room 343

MEMBERS PRESENT: Co-Chair Jeff Barker
Co-Chair Wayne Krieger
Co-Vice Chair Chris Garrett
Co-Vice Chair Wally Hicks
Rep. Mary Nolan
Rep. Andy Olson
Rep. Mike Schaufler
Rep. Carolyn Tomei
Rep. Matt Wand
Rep. Gene Whisnant

STAFF PRESENT: Aaron Knott, Committee Counsel
Pam Marshall, Committee Assistant

MEASURES/ISSUES HEARD: HB 3323 – Public Hearing
HB 2139 – Public Hearing
HB 3131 – Public Hearing
HB 3133 – Public Hearing
HB 2652 – Work Session
HB 3153 – Work Session

Recording Log

1:03:10 PM Meeting Called to Order by Co-Chair Krieger

1:03:26 PM **HB 3323 - Public Hearing**

1:03:31 PM Aaron Knott, Committee Counsel

1:04:22 PM Rep. Greg Matthews, House District 50

1:06:39 PM Co-Chair Krieger

1:07:06 PM John Kroger, Attorney General, State of Oregon

1:10:20 PM Rep. Schaufler

1:10:50 PM Co-Chair Barker

1:11:14 PM Co-Chair Krieger

1:11:40 PM John Haroldson, District Attorney, Benton County

1:16:41 PM Kevin Campbell, Executive Director, Oregon Association of Chiefs of Police (OACP)

1:17:35 PM {Exhibit} 1: Fred Yates, Lebanon, Oregon

1:18:40 PM John Powell, Oregon State Sheriffs' Association

1:19:13 PM Co-Chair Krieger

1:19:24 PM HB 2139 - Public Hearing

1:19:28 PM Aaron Knott, Committee Counsel
1:20:33 PM Co-Chair Krieger
1:21:00 PM {Exhibit} 2: Amy Joyce, Legislative Liaison, Department of Transportation
1:24:46 PM Andrea Meyer, Legislative Director, ACLU
1:26:19 PM {Exhibit} 3: Francisco Lopez, Executive Director of CAUSA, Oregon's Human Rights Coalition
1:27:57 PM Co-Chair Krieger

1:28:20 PM HB 3131 - Public Hearing

1:28:26 PM Rep. Nolan
1:28:31 PM Aaron Knott, Committee Counsel
1:28:41 PM Rep. Nolan
1:28:55 PM Knott
1:29:33 PM {Exhibit} 4: Rep. Andy Olson, House District 15
1:37:01 PM {Exhibit} 5: Randy Sampler, Director Forensics Division, Oregon State Police
1:38:04 PM Co-Chair Krieger
1:38:15 PM Wampler
1:38:31 PM Rep. Olson
1:38:49 PM Rep. Tomei
1:38:57 PM Rep. Olson
1:39:34 PM Rep. Tomei
1:39:43 PM Rep. Olson
1:39:56 PM Co-Chair Krieger
1:39:58 PM Co-Vice Chair Hicks
1:41:31 PM Rep. Olson
1:42:30 PM Co-Chair Krieger
1:42:56 PM Rep. Schaufler
1:43:29 PM Rep. Olson
1:43:45 PM Co-Vice Chair Garrett
1:44:15 PM Rep. Olson
1:45:01 PM Co-Chair Barker
1:45:37 PM Rep. Wand
1:46:01 PM Knott
1:47:05 PM Co-Chair Krieger
1:47:16 PM Rep. Olson
1:47:25 PM Robert Hayes, Police Officer, City of Albany
1:48:56 PM Co-Chair Krieger

1:49:15 PM HB 3133 - Public Hearing

1:49:22 PM Aaron Knott, Committee Counsel
1:50:03 PM Rep. Andy Olson, House District 15
1:54:37 PM Rep. Schaufler
1:56:03 PM Rep. Olson

1:56:42 PM Rep. Schaufler
1:56:56 PM Rep. Olson
1:57:21 PM {Exhibit} 6: Sgt. Michael Iwai, Oregon State Police
2:04:07 PM Robert Hayes, Police Officer, City of Albany
2:07:26 PM Rep. Tomei
2:07:39 PM Hayes
2:08:06 PM Co-Vice Chair Garrett
2:08:53 PM Hayes
2:09:38 PM Co-Vice Chair Garrett
2:10:06 PM Iwai
2:11:06 PM Co-Vice Chair Hicks
2:12:09 PM Rep. Olson
2:13:08 PM Iwai
2:14:04 PM Co-Chair Krieger
2:14:15 PM Iwai
2:17:40 PM Co-Chair Krieger
2:18:13 PM {Exhibit} 7: Anne Pratt, Volunteer Public Policy Liaison, Mothers Against Drunk Driving (MADD)
2:23:14 PM {Exhibit} 8: Doug Harclerod, Oregon Anti-Crime Alliance
2:25:04 PM Co-Chair Krieger
2:25:34 PM {Exhibit} 9: Andrea Meyer, Legislative Director, ACLU
2:33:24 PM {Exhibit} 10: Gail Meyer, Oregon Criminal Defense Lawyers Association
2:38:24 PM {Exhibit} 11: Fred Yates, Lebanon, Oregon
2:39:52 PM Co-Chair Krieger
2:39:55 PM Rep. Schaufler
2:40:50 PM Co-Chair Krieger
2:40:51 PM The following written testimony was submitted for the record without public testimony
2:40:53 PM {Exhibit} 12: Lois Harvick, Program Director, Lane County DUII Victim Impact Panel
2:40:57 PM {Exhibit} 13: Chuck Hayes, Chair, Governor's Advisory Committee on DUII
2:40:57 PM Co-Chair Krieger
2:41:15 PM Co-Chair Barker

2:41:16 PM **HB 2652 - Work Session**
2:41:22 PM {Exhibit} 14: Aaron Knott, Committee Counsel
2:42:30 PM Co-Chair Barker
2:42:44 PM MOTION: Co Chair Krieger MOVES -1 amendment BE ADOPTED
2:42:50 PM Co-Chair Barker
2:42:56 PM Rep. Tomei
2:43:00 PM Co-Chair Barker
2:43:34 PM Rep. Tomei
2:43:46 PM Co-Chair Barker
2:43:48 PM Rep. Tomei
2:43:59 PM Co-Chair Barker
2:44:08 PM Rep. Tomei

2:44:11 PM Co-Chair Barker
2:44:12 PM VOTE: 10-0-0
2:44:13 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker
2:44:16 PM MOTION: Co-Chair Krieger MOVES HB 2652 DO PASS as amended
2:44:24 PM Co-Chair Barker
2:44:30 PM Rep. Tomei
2:44:35 PM Co-Chair Barker
2:44:39 PM VOTE: 10-0-0
2:44:42 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker
2:45:01 PM CARRIER: REP. GELSER will lead discussion on the floor
2:45:02 PM Co-Chair Barker

2:45:08 PM **HB 3153 - Work Session**
2:45:14 PM {Exhibit} 15: Aaron Knott, Committee Counsel
2:47:25 PM Co-Chair Barker
2:47:29 PM Rep. Tomei
2:47:40 PM Knott
2:47:51 PM MOTION: Co-Chair Krieger MOVES -1 amendment BE ADOPTED
2:48:00 PM Co-Chair Barker
2:48:02 PM VOTE: 10-0-0
2:48:04 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker
2:48:06 PM MOTION: Co-Chair Krieger MOVES HB 3153 DO PASS as amended
2:48:13 PM Co-Chair Barker
2:48:38 PM VOTE: 10-0-0
2:48:40 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker
2:48:42 PM CARRIER: REP. BARKER will lead discussion on the floor
2:48:44 PM The following written testimony was submitted for the record without public testimony
2:48:46 PM {Exhibit} 16: Robert Ball, Portland Police Reserve Unit Captain
2:48:52 PM Meeting Adjourned by Co-Chair Barker

Exhibit Summary

1:17:35 PM {Exhibit} 1: HB 3323, written testimony, Fred Yates, 1 p
1:20:57 PM {Exhibit} 2: HB 2139, written testimony, Amy Joyce, 2 pp
1:26:17 PM {Exhibit} 3: HB 2139, written testimony, Francisco Lopez, 1 p
1:29:33 PM {Exhibit} 4: HB 3131, written testimony, Rep. Andy Olson, 4 pp
1:37:01 PM {Exhibit} 5: HB 3131, written testimony, Randy Wampler, 1 p
1:57:32 PM {Exhibit} 6: HB 3133, written testimony, Sgt. Michael Iwai, 2 pp
2:18:13 PM {Exhibit} 7: HB 3133, written testimony, Anne Pratt, 6 pp
2:23:14 PM {Exhibit} 8: HB 3133, written testimony, Doug Harclerod, 1 p

2:25:34 PM {Exhibit} 9: HB 3133, written testimony, Andrea Meyer, 4 pp
2:33:24 PM {Exhibit} 10: HB 3133, written testimony, Gail Meyer, 3 pp
2:38:24 PM {Exhibit} 11: HB 3133, written testimony, Fred Yates, 2 pp
2:41:53 PM {Exhibit} 12: HB 3133, written testimony, Lois Harvick, 1 p
2:41:57 PM {Exhibit} 13: HB 3133, written testimony, Chuck Hayes, 2 pp
2:41:22 PM {Exhibit} 14: HB 2652, -1 amendment, staff, 4pp
2:45:14 PM {Exhibit} 15: HB 3153, -1 amendment, staff, 1 p
2:48:44 PM {Exhibit} 16: HB 3153, written testimony, Robert Ball, 4 pp
