

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 FOR THE 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 Legislative Concepts - 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 TO ADOPT LEGISLATIVE CONCEPTS LC 2633, LC 3237, LC 2743, LC 2742, LC 2741, LC 1918, AND LC 2910 TO 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 and Possible Work Session**
- 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