

HOUSE JUDICIARY COMMITTEE

February 28, 2005 Hearing Room 357

9:00 A.M. Tapes 17

MEMBERS PRESENT: Rep. Wayne Krieger, Chair

Rep. Greg Macpherson, Vice-Chair

Rep. Andy Olson, Vice-Chair

Rep. Bob Ackerman

Rep. Jeff Barker

Rep. Linda Flores

Rep. Bill Garrard

Rep. Kim Thatcher

MEMBER EXCUSED: Rep. Kelley Wirth

STAFF PRESENT: Heidi Moawad, Counsel

Sam Sears, Counsel

Elizabeth Howe, Committee Assistant

MEASURES HEARD: HB 2288 – Work Session

SB 124 – Work Session

HB 2015 – Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 17, A

004	Chair Krieger	Calls the meeting to order at 9:10 a.m.
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006	Sam Sears	Counsel. Introduces HB 2288, which allows distribution of proceeds from sale of chattel in possessory lien foreclosure to persons holding subordinate lien or security interest in chattel.
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024	Chair Krieger	Opens a work session on HB 2288.
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HB 2288 – WORK SESSION

026	Rep. Garrard	MOTION: Moves HB 2288 to the floor with a DO PASS recommendation.
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VOTE: 8-0-1

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Wirth

034	Chair Krieger	The motion CARRIES.
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REP. GARRARD will lead discussion on the floor.

035	Chair Krieger	Closes work session on HB 2288.
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041	Craig Prins	Executive Director, Criminal Justice Commission. Offers information on SB 124, which approves adoptions of certain rules and amendments to sentencing guideline rules by Oregon Criminal Justice Commission. Discusses administrative rules.
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087	Rep. Thatcher	Asks about specific additions to HB 2288.
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091	Prins	Explains the additions.
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102	Rep. Garrard	Questions why the legislature must approve something that was already done.
106	Prins	Explains the control given to the legislature to hold the Criminal Justice Commission accountable for their administrative rules.
121	Chair Krieger	Clarifies that a bill passed this session would come back next session for the legislature to approve the administrative rules.
125	Prins	Offers an example of a bill last session that is here this session to have its administrative rules approved.
153	Chair Krieger	Clarifies that the committee has seen SB 124 every session since it passed in order to check its administrative rules.
158	Prins	Responds affirmatively.
169	Rep. Flores	Asks if other agencies need to check with the legislature to approve administrative rules that are made in response to legislation.
180	Prins	Believes that the Criminal Justice Commission is unique in that regard.
187	Rep. Flores	Asks how long it takes to promulgate administrative rules.
194	Prins	Explains the process for creating administrative rules.
204	Rep. Flores	Asks for a general amount of time. Asks why there was a delay getting administrative rules approved from a 2001 bill.
212	Prins	Describes the 2001 changes as “scriveners” changes, which are non-substantive.
229	Rep. Macpherson	Asks how the crime seriousness category is formed.
232	Prins	Explains that it is discretionary.
251	Chair Krieger	Asks if Mr. Prins is confident that administrative rules follow the legislative intent.

256	Prins	Assures Chair Krieger that the administrative rules agree with the intent of the legislature.
276	Rep. Thatcher	Asks why the Criminal Justice Commission needs administrative rules to carry out legislation.
282	Prins	Describes the process and need for administrative rules.
320	Chair Krieger	Opens a work session on SB 124.

SB 124 – WORK SESSION

323	Rep. Macpherson	MOTION: Moves SB 124 to the floor with a DO PASS recommendation.
328	Rep. Macpherson	Offers clarification to the committee members to explain why the Criminal Justice Commission requires special sensitivity.

VOTE: 8-0-1

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Wirth

350	Chair Krieger	The motion CARRIES. REP. MACPHERSON will lead discussion on the floor.
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354	Chair Krieger	Closes work session on SB 124. Opens a work session on HB 2015.
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HB 2015 – WORK SESSION

357	Heidi Moawad	Counsel. Introduces HB 2015, which extends statute of limitations for certain felonies. Hands out a table of statute of limitations to committee members (EXHIBIT A). Explains the bill.
385	Moawad	Continues explanation of statute of limitations and how Oregon's statute of limitations compares to other states.

396	Rep. Olson	MOTION: Moves HB 2015 to the floor with a DO PASS recommendation.
		VOTE: 6-2-1
		AYE: 6 - Barker, Flores, Garrard, Olson, Thatcher, Krieger
		NAY: 2 - Ackerman, Macpherson
		EXCUSED: 1 - Wirth
407	Chair Krieger	The motion CARRIES.
		REP. OLSON will lead discussion on the floor.
418	Chair Krieger	Announces that HB 2145 is being held over pending approval from the speaker to rescind referral to another committee.
425	Chair Krieger	Adjourns the meeting at 9:40 a.m.

EXHIBIT SUMMARY

A. HB 2015, table, staff, 4 pp

HOUSE COMMITTEE ON
INFORMATION MANAGEMENT AND TECHNOLOGY

March 15, 2005 Hearing Room 357

1:00 P.M. Tapes 25 - 26

MEMBERS PRESENT: Rep. John Dallum, Chair

Rep. Jerry Krummel, Vice-Chair

Rep. Kelley Wirth, Vice-Chair

Rep. Chuck Burley

Rep. Brad Witt

STAFF PRESENT: Dallas Weyand, Committee Administrator

Louann Rahmig, Committee Assistant

MEASURES/ISSUES HEARD:

High Performance Computing Briefing – Informational Meeting

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 25, A

003	Chair Dallum	Calls the meeting to order at 1:00 p.m. Introduces the high school students from Mitchell, Oregon, attending the committee meeting as guests. Opens the informational meeting on high performance computing briefing.
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HIGH PERFORMANCE COMPUTING BRIEFING – INFORMATIONAL MEETING

015	Brian Wornath	LCN Media & Consulting Group. Announces that he represents the Oregon High Performance Computing Consortium. Distributes hard copy of <i>General Proposal for Establishing an Oregon High Performance Computing Infrastructure</i> PowerPoint presentation (EXHIBIT A) . Begins the presentation with an overview and the goals of developing a supercomputing resource in Oregon.
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055	Wornath	Provides an explanation of supercomputing and who would use it.
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074	Wornath	
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Describes the old-style, traditional, single-purpose computer called a “monolith.”

088	Wornath	Discusses types of supercomputers. Refers to case studies in EXHIBIT A, Page 14.
117	Wornath	Discusses how much unused computing time is available after regular office hours, creating an affordable and powerful computing “grid.”
149	Wornath	Continues with justification to develop affordable high performance computing resources within Oregon.
184	Wornath	Proposes to create a state resource that markets the unused capacity and the accompanying consulting services, offering “one-stop shopping” for high-performance computing.
216	Wornath	Outlines sources for general initial capitalization. States that earnings from operations would come from leasing affordable high-performance computing time.
237	Wornath	Shows comparison of estimated financial scenarios (EXHIBIT A).
313	Wornath	Discusses the percentage of return and cost per year of operating a computer grid.
381	Wornath	Suggests implementing a pilot project to determine the best technical solution. Displays the estimated pilot profitability.

TAPE 26, A

019	Wornath	Discusses a possible organizational structure similar to an Oregon high-performance computing consortium. Continues with explanation of challenges.
069	Wornath	Has spoken with Chief Information Officers around the state, who believe the concept is good.
083	Wornath	Summarizes by stating that the technology is proven, can easily be applied to numerous applications and uses, and is easily expandable.

121	Chair Dallum	Asks about the “down side.”
125	Wornath	Responds that information technology people will say this is a very specialized area. Believes that ideally the universities and the state would co-develop a pilot program.
148	Chair Dallum	Inquires if this concept is attractive to private enterprise.
155	Wornath	Replies, it is. Continues that there are certain niches that don’t have the financial resources to take on a project such as this. Cites examples of researchers who believe they can use.
192	Chair Dallum	Asks what proposed legislation should look like.
196	Wornath	Answers that funding for a pilot project could be requested.
227	Rep. Burley	Inquires what is preventing us from using this now.
233	Wornath	Responds, nothing. Indicates from a financial standpoint, it is best to consolidate and not have many small clusters.
261	Rep. Burley	Refers to the case studies in EXHIBIT A that were mostly done by private corporations. Comments that if we were going to use public resources, that is a different set of circumstances particularly since we are concerned with security issues.
270	Wornath	Agrees. Offers to provide more up-to-date information. Reports on other states that are doing this for economic development.
313	Rep. Burley	States that the corporate environment is more controlled than ours as we have computers all across the state. Asks how we would insure security.
323	Wornath	Agrees that some environments are better suited than others.
329	Rep. Krummel	Asks if setting something like this up in the new data center might generate the dollars to pay for it.
338	Wornath	

Replies, absolutely. Reports that high performance computing is being done on a limited basis at the Oregon State University Oceanic School.

404 Rep. Krummel Asks if there have been discussions with the Department of Administrative Services (DAS) or other privately owned data centers to see if there is an interest.

416 Wornath Has spoken with DAS and some small companies affiliated with academics.

439 Rep. Witt Inquires if one has to be a participant in the network to be able to utilize supercomputing capacity.

**TAPE 25,
B**

011 Wornath Responds, yes, for security reasons. States that the criteria needs to be identified in the business model.

020 Rep. Witt Asks if he is aware of any claims in other states that there is not equal access.

025 Wornath Answers that he has not heard of any.

027 Rep. Wirth Inquires if anyone has expressed an interest in helping finance a pilot study.

032 Wornath Replies, absolutely.

038 Rep. Wirth Asks how much private money might be available.

046 Wornath Replies that there is interest, and some medical schools are trying to lure grants. Believes discussions with interested parties to determine how much money is available would be needed.

069 Rep. Wirth Inquires if other states have included some public financing, and how far along they are in the process.

077 Wornath Answers, it varies.

089	Wanda Brennan	High School Science Teacher, Mitchell, Oregon. Cites problems of areas with limited internet access. Asks how high-performance computing will benefit them.
096	Wornath	Responds that not all rural areas will receive the same amount of benefit; however, areas with community colleges perhaps can provide access.
140	Chair Dallum	Closes the informational meeting on high performance computing and adjourns the meeting at 2:08 p.m.

EXHIBIT SUMMARY

- A. High Performance Computing Infrastructure, General Proposal for Establishing, printed copy of PowerPoint presentation, Brian Wornath, 67 pp**