

HOUSE JUDICIARY COMMITTEE

March 18, 2005 Hearing Room 357

8:30 A.M. Tapes 21

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

MEMBER EXCUSED: Rep. Kim Thatcher

Rep. Kelley Wirth

STAFF PRESENT: Heidi Moawad, Counsel

Sam Sears, Counsel

Elizabeth Howe, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2213 – Work Session

HB 2222 – Work Session

HB 2230 – Work Session

HB 2278 – Work Session

HB 2599 – Work Session

HB 2666 – Work Session

HB 2667 – Work Session

HB 2723 – Work Session

HB 2724 – Work Session

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| TAPE/# | Speaker | Comments |
|--|----------------|---|
| TAPE 21, A | | |
| 003 | Chair Krieger | Calls the meeting to order at 8:55 a.m. Opens a work session on HB 2213. |
| <u>HB 2213 – WORK SESSION</u> | | |
| 008 | Sam Sears | Counsel. Introduces HB 2213, which declares state policy regarding spousal support obligations. |
| 015 | Rep. Ackerman | MOTION: Moves HB 2213 to the floor with a DO PASS AS AMENDED recommendation and be placed on the CONSENT CALENDAR. |
| 020 | Sears | Notes amendments were already adopted in the subcommittee. |
| VOTE: 6-0-3 | | |
| AYE: In a roll call vote, all members present vote Aye. | | |
| EXCUSED: 3 - Olson, Thatcher, Wirth | | |
| 034 | Chair Krieger | The motion CARRIES. |
| 037 | Chair Krieger | Closes work session on HB 2213. Opens a work session on HB 2222. |

HB 2222 – WORK SESSION

038 Sam Sears Counsel. Introduces HB 2222, which provides that Department of Justice has lien upon certain judgments, settlements and compromises obtained by person who received award of compensation from department, or on whose behalf compensation was paid by department, for compensable crime.

042 Rep. Ackerman **MOTION: Moves HB 2222 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 7-0-2

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

EXCUSED: 2 - Thatcher, Wirth

054 Chair Krieger **The motion CARRIES.**

REP. ACKERMAN will lead discussion on the floor.

057 Chair Krieger Closes work session on HB 2222. Opens work session on HB 2230.

HB 2230 – WORK SESSION

058 Sam Sears Counsel. Introduces HB 2230, which defines “economic damages” for purposes of restitution.

063 Rep. Macpherson **MOTION: Moves HB 2230 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 7-0-2

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

EXCUSED: 2 - Thatcher, Wirth

070 Chair Krieger **The motion CARRIES.**

REP. MACPHERSON will lead discussion on the floor.

075 Chair Krieger Closes work session on HB 2230. Opens a work session on HB 2278.

HB 2278 – WORK SESSION

- 076 Sam Sears Counsel. Introduces HB 2278, which creates new circuit court judge positions.
- 080 Rep. Flores **MOTION: Moves HB 2278 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.**
- 088 Rep. Macpherson Comments that HB 2278 does not solve the funding problem.
- 096 Chair Krieger Mentions priorities to place judges in problem areas.

VOTE: 7-0-2

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

EXCUSED: 2 - Thatcher, Wirth

- 111 Chair Krieger **The motion CARRIES.**
- 115 Chair Krieger Closes work session on HB 2278. Opens a work session on HB 2599.

HB 2599 – WORK SESSION

- 116 Sam Sears Counsel. Introduces HB 2599, which exempts from public disclosure personal information about customers of public body providing water, sewer, or storm drain services.
- 138 Rep. Garrard **MOTION: Moves to ADOPT HB 2599-3 amendments dated 3/16/05.**
- VOTE: 7-0-2**
- EXCUSED: 2 - Thatcher, Wirth**
- 143 Chair Krieger **Hearing no objection, declares the motion CARRIED.**
- 144 Rep. Flores **MOTION: Moves HB 2599 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 7-0-2

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

EXCUSED: 2 - Thatcher, Wirth

156 Chair Krieger The motion CARRIES.

REP. GARRARD will lead discussion on the floor.

160 Chair Krieger Closes work session on HB 2599. Opens a work session on HB 2666.

HB 2666 – WORK SESSION

161 Heidi Moawad Counsel. Introduces HB 2666, which allows law enforcement agencies to make records in cases relating to child abuse and neglect available to sex offender treatment providers.

173 Rep. Macpherson **MOTION: Moves HB 2666 to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.**

VOTE: 7-0-2

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

EXCUSED: 2 - Thatcher, Wirth

183 Chair Krieger The motion CARRIES.

185 Chair Krieger Closes work session on HB 2666. Opens a work session on HB 2667.

HB 2667 – WORK SESSION

186 Heidi Moawad Counsel. Introduces HB 2667, which expands definition of “sex crime” to include public or private indecency, if person convicted has prior conviction for public or private indecency.

202 Rep. Macpherson **MOTION: Moves HB 2667 to the floor with a DO PASS recommendation.**

VOTE: 7-0-2

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

EXCUSED: 2 - Thatcher, Wirth

209 Chair Krieger The motion CARRIES.

REP. MACPHERSON will lead discussion on the floor.

212 Chair Krieger Closes work session on HB 2667. Opens a work session on HB 2723.

HB 2723 – WORK SESSION

214 Heidi Moawad Counsel. Introduces HB 2723, which requires employer to grant leaves of absence to public safety officer who is on Board on Public Safety Standards and Training or on committee established by board to allow officer to attend meetings and perform duties of board or committee.

227 Rep. Olson Comments that he will not vote to mandate personnel matters.

251 Rep. Barker Clarifies that this bill would only allow someone of the police officer rank to use work time to attend meetings. Expresses belief that individuals should be allowed to attend these important board meetings.

273 Chair Krieger Notes that the police chief involved in proponent's experience was not present at the public hearing, and reiterates the minimal time that is taken from work hours.

293 Rep. Macpherson Comments on the decisions that the ORS statutes make for those who would not make the decision they should. Emphasizes that HB 2723 extends only to meeting time, not preparation time for meetings.

323 Rep. Flores States the need to require good management decisions in statute.

346 Rep. Barker MOTION: Moves HB 2723 to the floor with a DO PASS recommendation.

VOTE: 6-1-2

AYE: 6 - Ackerman, Barker, Flores, Garrard, Macpherson, Krieger

NAY: 1 - Olson

EXCUSED: 2 - Thatcher, Wirth

**356 Chair Krieger The motion CARRIES.
REP. BARKER will lead discussion on the floor.**

359 Chair Krieger Closes work session on HB 2723. Opens a work session on HB 2724.

HB 2724 – WORK SESSION

362 Heidi Moawad Introduces HB 2724, which provides that home address, home telephone number and electronic mail address of public safety officer are exempt from disclosure.

375 Rep. Garrard Explains his opposition to HB 2724.

TAPE 22, A

422 Chair Krieger Describes that HB 2724 only applies to public safety officers.

430 Rep. Olson Reviews public testimony heard at Criminal Subcommittee.

438 Rep. Garrard Questions if the bill applies to only one person.

441 Chair Krieger Clarifies that “public safety officer” refers to all, not only one.

447 Moawad Explains cross reference to “public safety officer” in the ORS.

450 Rep. Garrard Withdraws objection.

453 Rep. Olson MOTION: Moves HB 2724 to the floor with a DO PASS recommendation.

VOTE: 7-0-2

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

EXCUSED: 2 - Thatcher, Wirth

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TAPE/# Speaker Comments

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.

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 *General Proposal for Establishing an Oregon High Performance Computing Infrastructure* PowerPoint presentation (**EXHIBIT A**). Begins the presentation with an overview and the goals of developing a supercomputing resource in Oregon.

055 Wornath Provides an explanation of supercomputing and who would use it.

074 Wornath 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.

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| 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

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| 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. |

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| 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**

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