

HOUSE JUDICIARY COMMITTEE

May 31, 2005 Hearing Room B

6:00 P.M. Tapes 52 - 57

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

Rep. Kelley Wirth

STAFF PRESENT: Bill Taylor, Counsel

Elizabeth Howe, Committee Assistant

MEASURES/ISSUES HEARD:

HB 3476 – Public Hearing

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 52, A

002	Chair Krieger	Calls the meeting to order at 6:11 p.m. Comments on the sensitivity of the issue being discussed, and asks for respectful conduct. Explains the hearing process. Opens a public hearing on HB 3476.
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HB 3476 – PUBLIC HEARING

042	Rep. Dennis Richardson	House District 4. Testifies in support of HB 3476. Comments on the Measure 36 campaign (2003) and SB 1000 (2005).
073	Rep. Richardson	Describes the rights given in HB 3476.
093	Tootie Smith	Oregon Family Council. Submits written testimony (EXHIBIT A) and testifies in support of HB 3476. Shows DVD (EXHIBIT WW).
171	Smith	Continues testimony in support of HB 3476. Comments on testimony on SB 1000 (EXHIBIT B).
221	Smith	Closes with quotes from Basic Rights Oregon website.
239	Robert Castagna	Oregon Catholic Conference. Submits written testimony (EXHIBIT C) and testifies in support of HB 3476. Comments on Measure 36.
311	Castagna	Continues testimony. Comments on civil unions.
387	Rep. Macpherson	Comments on privileges of marriage that are not addressed by HB 3476. Asks how the 18 privileges in HB 3476 were selected.
400	Rep. Richardson	Explains that the privileges that were concerns of same-sex couples and other couples unable to marry, without fiscal impact, were chosen.
421	Rep. Macpherson	Inquires if there are sibling couples or other couples that have expressed concern about receiving these benefits.

TAPE 53, A

004	Smith	Responds affirmatively.
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008	Rep. Macpherson	Inquires about the termination of the benefits.
012	Castagna	Explains the situations where termination of benefits would be cancelled if one partner, for example, a child living with a parent, were to be married.
020	Rep. Barker	Inquires about Tim Nashiff's position on civil unions.
024	Smith	Explains the Oregon Family Council's (OFC) position on civil unions.
032	Rep. Ackerman	Questions reasoning about civil unions.
035	Smith	Explains why OFC's position on civil unions is not contradictory.
037	Rep. Richardson	Describes civil unions as certain civil benefits, and explains how OFC's definition differs from SB 1000's definition.
048	Rep. Garrard	Inquires about the endorsement of civil unions by the President of the United States and asks which bill is closer to the President's definition.
055	Rep. Richardson	States that SB 1000 is marriage by another name, and not the civil unions that he or the OFC could support.
076	Roey Thorpe	Basic Rights Oregon. Submits written testimony (EXHIBIT D) and testifies in opposition to HB 3476.
129	Thorpe	Submits many pieces of testimony in opposition to HB 3476 (EXHIBIT E). Comments on the model of civil unions in Vermont (EXHIBIT F). Suggests that the model President Bush spoke of was Vermont's.
176	Theresa "Rivka" Gevurtz	Citizen, Multnomah County. Submits written testimony (EXHIBIT G) and testifies in support of HB 3476.
257	Gevurtz	Continues testimony in opposition to HB 3476.
275	Dan Bryant	

Pastor in Eugene. Ecumenical Ministries of Oregon. Submits written testimony (**EXHIBIT H**) and testifies in opposition to HB 3476, as it is not an acceptable alternative to civil unions.

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| 323 | Bryant | Comments on the Biblical model for marriage. Speaks to the impact on youth by enacting laws that do not offer same-sex couples civil protections. |
| 358 | David Fidanque | American Civil Liberties Union. Testifies as neutral on HB 3476, and urges committee to offer more rights to same-sex couples. |

TAPE 52, B

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| 018 | Fidanque | States that civil unions will not undermine the institution of marriage. |
| 035 | Rep. Macpherson | Inquires about the nature of a relationship that facilitates terminating rights by a single party's notice. |
| 043 | Gevurtz | Addresses the fragile relationships that are offered these rights. Comments on the unique relationship that requires serious thought entering into and terminating these rights. |
| 058 | Rep. Thatcher | Inquires about couples desiring polygamous relationships. |
| 064 | Bryant | States that only two individuals should be granted a civil union. |
| 076 | Rep. Thatcher | Comments on the practice of polygamy. |
| 083 | Bryant | Reiterates that civil unions should be offered only to the relationships between two individuals. |
| 106 | Lillian Gonzalez | Citizen from Bend. Submits written testimony (EXHIBIT I) and testifies in support of HB 3476. |
| 152 | Maria Gonzalez | Citizen from Bend. Submits written testimony (EXHIBIT J) and testifies in support of HB 3476. |
| 195 | Mike Lovely | Citizen. Submits written testimony (EXHIBIT K) and testifies in opposition to HB 3476. |

267	Kathy Fritz	Citizen from Salem. Testifies in support of HB 3476.
294	Steven Donnell	Citizen from La Grande. Submits written testimony (EXHIBIT SS) and testifies in support of HB 3476.
346	Donnell	Expresses support for offering benefits without discrimination.
387	Roger Wert	Student Body Representative, Southern Oregon University. Testifies in opposition to HB 3476. States that reciprocal benefits are insufficient.

TAPE 53, B

005	Wert	Relates a hate crime that he was a victim of because he is gay.
020	Rep. Olson	Inquires when the crime took place and what action was taken.
027	Wert	Explains the details of how the case is being handled.
042	Brian Stahl	Citizen from The Dalles. Submits written testimony (EXHIBIT L) and testifies in opposition to HB 3476.
087	Jim Maguire	Citizen from Beaverton. Submits written testimony (EXHIBIT M) and testifies in opposition to HB 3476 in its present form.
122	Reverend Judith Youngman	Community of Welcoming Congregations. Testifies in opposition to HB 3476.
175	Sue Fettig	Citizen, Multnomah County. Testifies in support of HB 3476. Comments on resources being spent on this issue while there are many other problems to address.
200	Judy Kennedy	Citizen, Multnomah County. Submits written testimony (EXHIBIT N) and testifies in support of HB 3476.
260	Fred Matthias	Citizen from Sherwood. Submits written testimony (EXHIBIT O) and testifies in support of HB 3476.
331	Catherine Finney	Citizen from Bend. Testifies in support of HB 3476 for some people, but believes that same-sex couples need the benefits of civil unions.

400	Judith VanDuzer	Citizen from Coos Bay. Submits written testimony (EXHIBIT P) and testifies in opposition to HB 3476.
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TAPE 54, A

031	Carolyn Weir	Citizen from Bend. Submits written testimony (EXHIBIT Q) and testifies in opposition to HB 3476.
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066	Herbert Grey	Attorney in Portland. Submits written testimony (EXHIBIT R) and testifies in support of HB 3476.
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115	Grey	Addresses civil unions and the Measure 36 campaign.
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126	Pastor Raymond Young	East Hill Church, Gresham. Submits written testimony (EXHIBIT S) and testifies in support of HB 3476.
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180	Michael Howden	Stronger Families for Oregon. Submits written testimony (EXHIBIT T) and testifies in support of HB 3476.
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235	Rep. Barker	Comments on the Defense of Marriage Coalition, and quotes Georgene Rice regarding civil unions.
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250	Howden	States that Measure 36 supporters will not interfere with the opposition pursuing any legislation. Relates that the Defense of Marriage Coalition did not support marriage-like rights.
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260	Rep. Thatcher	Inquires about changes to medical power of attorney with HB 3476.
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265	Grey	Explains powers of attorney, and HB 3476 as a stop-gap.
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281	Young	Adds that carrying powers of attorney is important for everyone.
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288	Chair Krieger	Recesses at 8:25 p.m. Reconvenes at 8:42 p.m.
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298	Bonnie Tinker	Director, Love Makes a Family. Submits written testimony (EXHIBIT U) and testifies as neutral on HB 3476. Comments on ways the government can support families.
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350	Tinker	Continues testimony on reciprocal benefits and civil unions.
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TAPE 55, A

- 004 Nancy Frantz-Geddes Citizen from Salem. Submits written testimony (**EXHIBIT V**) and testifies in opposition to HB 3476.
- 035 Jeanna Frazzini Citizen from Portland. Submits written testimony (**EXHIBIT W**) and testifies in opposition to HB 3476. Explains the demoralizing process of fighting for gay and lesbian families.
- 090 KD Parman Citizen from Portland. Reads testimony of Tess Fields in opposition to HB 3476 (**EXHIBIT X**).
- 123 Parman Continues reading testimony related to child custody rights.
- 155 Dale McNeil Citizen from Tigard. Submits written testimony (**EXHIBIT Y**) and testifies in support of HB 3476.
- 220 Dennis Tuuri Executive Director, Parents Education Association, Reformation Covenant Church. Submits written testimony (**EXHIBIT Z**) and testifies in support of HB 3476.
- 284 Mark Sligar Citizen of Portland. Submits written testimony (**EXHIBIT AA**) and testifies in support of HB 3476.
- 346 Rep. Barker Inquires how gays and lesbians could endanger the churches.
- 351 Sligar Explains concerns that churches could be endangered by lawsuits from couples who would be refused employment for moral reasons.
- 380 Pastor Jerri Handy Citizen of Portland. Submits written testimony (**EXHIBIT BB**) and testifies in opposition to HB 3476.

TAPE 54, B

- 028 J. Graigory Citizen of California. Submits written testimony (**EXHIBIT CC**) and testifies in opposition to HB 3476.
- 072 Dave Eischen Citizen from Cornelius. Testifies in support of HB 3476.

090	Vergene Eischen	Citizen from Cornelius. Testifies in support of HB 3476.
131	Donald Ross	Citizen from Troutdale. Submits written testimony (EXHIBIT DD) and testifies in opposition to HB 3476.
178	Patricia Keeney	Parents, Families and Friends of Lesbians and Gays, Oregon. Submits written testimony (EXHIBIT EE) and testifies in opposition to HB 3476. Explains why HB 3476 offers benefits that are too narrow.
218	Rebecca Lucas	Citizen. Submits written testimony (EXHIBIT RR) and testifies in support of HB 3476. Addresses the issue of polygamy and pedophilia and inclusion of those relationships in civil unions.
279	J.J. Quinlivan	Citizen from Corvallis. Submits written testimony (EXHIBIT FF) and testifies in support of HB 3476.
357	Esther Griffin	Citizen from Beaverton. Submits written testimony (EXHIBIT GG) and testifies in opposition to HB 3476.
407	Pamela Janes	Citizen from Salem. Submits written testimony (EXHIBIT HH) and testifies in opposition to HB 3476.

TAPE 55, B

030	Kento Azegami	Portland State College Democrats. Submits written testimony (EXHIBIT II) and testifies in opposition to HB 3476.
065	Perry Allen	Citizen. Submits written testimony (EXHIBIT JJ) and testifies in support of HB 3476.
115	James Russell	Citizen from Sweet Home. Submits written testimony (EXHIBIT KK) and testifies in support of HB 3476.
166	Dave Gallaway	Citizen. Testifies in opposition to HB 3476, as it validates homosexuality.
218	Kappy Eaton	League of Women Voters of Oregon. Submits written testimony (EXHIBIT LL) and testifies in opposition to HB 3476.

246	Lauren Sylvis	Citizen. Testifies in opposition to HB 3476. Reads a statement of Dennis Shepherd from a murder case in Wyoming.
320	Lois Ann House	Citizen. Testifies in support of HB 3476.
362	Betsy Schultz	Citizen from Eugene. Submits written testimony (EXHIBIT MM) and testifies in support of HB 3476.

TAPE 56, A

006	Nancy Hansen	Citizen from Eugene. Testifies in support of HB 3476.
051	Kevin Putnam	Citizen from Portland. Testifies in opposition to HB 3476.
077	Dave Park	Citizen from Lake Oswego. Submits written testimony (EXHIBIT NN) and testifies in opposition to HB 3476. Addresses codifying details of relationships.
104	Lou Beres	Citizen from Lake Oswego. Submits written testimony (EXHIBIT OO) and testifies in opposition to HB 3476. Comments on separate, unequal benefits.
154	Beres	Comments on the slippery slope of immorality.
165	Rep. Macpherson	Expresses appreciation to his constituents for testifying. Comments on discrimination.
178	Beres	States that HB 3476 is a gay marriage bill in disguise.
191	Rep. Macpherson	Responds that the bill requires that a couple be prohibited from marrying in order to be allowed to receive benefits.
197	Beres	Contends that with “marriage” in the bill it is a disguise.
215	Susan Anderson	Citizen from Eugene. Submits written testimony (EXHIBIT PP) and testifies in support of HB 3476.
245	Crystal Bradford	Citizen from Eugene. Testifies in support of HB 3476.

302	Sylvia Furtick	Citizen from Eugene. Submits written testimony (EXHIBIT QQ) and testifies in support of HB 3476.
324	Rep. Barker	Inquires about artificial insemination for heterosexual couples.
399	Bradford	Expresses opposition to artificial insemination as the child grows up without knowing who its father is.
358	Martha Pellegrino	Lane County. Testifies in opposition to HB 3476.
406	Rep. Thatcher	Inquires about Vermont civil unions and California domestic partnerships. Asks how many states have this style of legislation.
416	Pellegrino	Lists states with similar style laws.

TAPE 57, A

008	Kimberley Grossnicklaus	Citizen. Testifies in support of HB 3476.
069	Rep. Ackerman	Questions the assumption of inherent disfunctionality of homosexual parenting.
073	Grossnicklaus	Responds that the best situation is to keep a child with heterosexual couples.
080	Rep. Ackerman	Inquires if assumption is that heterosexual relationships are functional.
082	Grossnicklaus	Responds negatively.

The following materials submitted for the record without public testimony:

Dean Bennett	Written testimony in support of HB 3476 (EXHIBIT TT) .
Charles Felton	Written testimony in support of HB 3476 (EXHIBIT UU) .
Charles and Jean Nelson	Written testimony in support of HB 3476 (EXHIBIT VV) .

EXHIBIT SUMMARY

- A. HB 3476, written testimony, Tootie Smith, 3 pp
- B. HB 3476, testimony from SB 1000, Tootie Smith, 88 pp
- C. HB 3476, written testimony, Robert Castagna, 24 pp
- D. HB 3476, written testimony, Roey Thorpe, 1 pp
- E. HB 3476, written testimony of many in opposition, Roey Thorpe, 167 pp
- F. HB 3476, Vermont legislation, Roey Thorpe, 11 pp
- G. HB 3476, written testimony, Theresa Gevurtz, 2 pp
- H. HB 3476, written testimony, Dan Bryant, 1 p
- I. HB 3476, written testimony, Lillian Gonzalez, 3 pp
- J. HB 3476, written testimony, Maria Gonzalez, 3 pp
- K. HB 3476, written testimony, Mike Lovely, 2 pp
- L. HB 3476, written testimony, Brian Stahl, 1 pp
- M. HB 3476, written testimony, Jim Maguire, 2 p
- N. HB 3476, written testimony, Judy Kennedy, 2 pp
- O. HB 3476, written testimony, Fred Matthias, 1 p
- P. HB 3476, written testimony, Judith VanDuzer, 2 pp
- Q. HB 3476, written testimony, Carolyn Weir, 1 p
- R. HB 3476, written testimony, Herbert Grey, 4 pp
- S. HB 3476, written testimony, Raymond Young, 2 pp
- T. HB 3476, written testimony, Michael Howden, 13 pp
- U. HB 3476, written testimony, Bonnie Tinker, 2 pp
- V. HB 3476, written testimony, Nancy Frantz-Geddes, 1 p
- W. HB 3476, written testimony, Jeanna Frazzini, 2 pp
- X. HB 3476, written testimony Tess Fields, KD Parman, 3 pp
- Y. HB 3476, written testimony, Dale McNeil, 1 p
- Z. HB 3476, written testimony, Dennis Tuuri, 1 p
- AA. HB 3476, written testimony, Mark Sligar, 3 pp
- AB. HB 3476, written testimony, Jerri Handy, 2 pp
- AC. HB 3476, written testimony, J. Graigory, 1 p
- AD. HB 3476, written testimony, Donald Ross, 1 p
- AE. HB 3476, written testimony, Patricia Keeney, 1 p
- AF. HB 3476, written testimony, JJ Quinlivan, 1 p
- AG. HB 3476, written testimony, Esther Griffin, 1 p
- AH. HB 3476, written testimony, Pamela Janes, 1 p
- AI. HB 3476, written testimony, Kento Azegami, 1 p
- AJ. HB 3476, written testimony, Perry Allen, 2 pp
- AK. HB 3476, written testimony, James Russell, 2 pp
- AL. HB 3476, written testimony, Kappy Easton, 1 p
- AM. HB 3476, written testimony, Betsy Schultz, 2 pp
- AN. HB 3476, written testimony, Dave Park, 1 p

AO. HB 3476, written testimony, Lou Beres, 1 p
AP. HB 3476, written testimony, Susan Anderson, 1 p
AQ. HB 3476, written testimony, Sylvia Furtick, 1 p
AR. HB 3476, written testimony, Rebecca Lucas, 1 p
AS. HB 3476, written testimony, Steven Donnell, 3 pp

The following materials submitted for the record without public testimony:

AT. HB 3476, written testimony, Dean Bennett, 1 p
AU. HB 3476, written testimony, Charles Felton, 1 p
AV. HB 3476, written testimony, Charles and Jean Nelson, 1 p

AW. HB 3476, DVD, Tootie Smith, 1 disc

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.
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.
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**